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THE TRIBUNE DATED NOVEMBER 27, 1924, page 1, col.1-2.

GURU-KA-BAGH INQUIRY

The Guru-ka-Bagh incidents form a unique chapter in the history of the Akali struggle in the Punjab, exhibiting, they do, the spirit of self-sacrifice and unflinching determination of the Akalis on the one hand, and the excesses of an irresponsible bureaucracy on the other. The forbearance and self-restraint displayed by the Akalis in the face of unprovoked violence by the police, and the manner in which they braved day after day the cruel treatment meted out to them by the constabulary are, indeed, without a parallel in the history of recent times. Specail importance, therefore, naturally attaches to the report of the Committee appointed by the All-India Congress Working Committee to inquire into the whole affair. The Committee consisted of five distinguished public men of the country, none of whom had had anything, directly or indirectly, to do with the Akali agitation of which the incidents which formed the subject matter of the inquiry were an off-shoot. Four of the members of the Committee were eminent lawyers, one of them being an ex-Advocate-General of Madras; while the fifth was a European. This independent Committee examined as many as 110 witnesses and went through a large mass of documents; and after a careful and protracted investigation it has come to conclusions which are entirely in accord with the views of those who witnessed the gruesome occurrences from day to day. The Committee has attached the greatest possible weight to every argument advanced by Government in support of the insensate excesses of its officials and has made every possible allowance for the exigencies of the situation.

As to the attitude of the Akalis throughout this affair, there was never any doubt, as even their

severest detractors admitted their strict adherence to non-violence. This is what the Committee finds on this point :-

> Mr. Macpherson examined in the case Crown versus Mehtab Singh and 8 others, already referred to, deposes: "I was not surprised to see the non-violent character of the jathas. I expected it. I grant that the Sikhs' non-violence of character was not the result of a show of Police Force but of the vow which they have taken to remain non-violent. Non violence was a portion of the daily vow of the Akalis." On this an ambiguous admission of the Officer who was in charge of the operations of dispersing, there could not be a shared of excuse, not the flimsiest of pretexts, for the story that these Akali jathas were likely to cause a disturbance of the public peace.

As to the contention of the Government that the minimum force was used, the opinion of the Committee is equally emphatic. Making every allowance for the possibility of conscious or unconscious exaggeration and proceeding on the assumption that the Police were entitled to disperse the Akalis, the Committee comes to the following conclusions:-

> We are all clearly and emphatically of opinion that the force used was excessive on all occasions and on some was cruelly excessive, It was certainly not required by the necessities of the situatin. The Police arrested and prosecuted Akalis before the took to this forcible dispersal, and when they stopped it, they again took to arrest and prosecution. The Akalies sought arrest. The orderly arrangement of Jathas

in rows of two, three or four men, one behind the other, and their sitting down with folded hands singing hymns as soon as they were stopped prove conclusively that the Police had only to tell them to hold themselves under arrest and they would have silently and cheerfully marched to jail. The united testimony of the numerous witnesses makes us come to the conclusion that the object of the Government was not dispersal.

In face of the overwhelming and unmistakbale evidence of the excesses perpetrated by thePolice at Guruka Bagh, the Committee could not possibly have come to any other conclusion; nor would it have been possible for it to frame those conclusions in more restrained language than that actually employed by it.

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The Tribune dated November 26, 1924, page 7,cols.1-2.

THE HINDU-MUSLIM PROBLEM ....1.

(Introduction) - by Lala Lajpat Rai.

After the above was written on board the ship during my voyage to India, I have had further corroboration of statements made in what I have seen , read and observed since my landing at Bombay, on the 18th of October, 1924. The two shocking news which I heard immediately on landing were about the Kohat tragedy and Mahatma Gandhi's fast. The most disconcerting feature of the former was the total emigration of the Hindus from Kohat, out of fear of further Muslim attacks. I am not at present prepared to assert what the respective liabilities of the two communities were in regard to this tragedy, but I have no doubt in my mind that the Government has throughout shown such utter

inefficiency and incompetency as stands unique in the history of British rule in India. I am not very much enamoured of British rule, or for the matter of that of any foreign rule, and inspite of my great admiration for British character I have been a life-long critic of the British administration. Yet I always believed that the one justification for British Rule in India was its ability to protect the minorities and to guarantee peace and security to them under any circumstances. The spectacle of a whole community of about 3,500 men, women and children marching away from their homes to distant places under Government transport arrangements and with Government help, for fear of being annihilated by an infuriated majority is however, a conclusive proof of the falsity of this belief, because it can only mean one of the two things -- either the insincerity or the inefficiency of British officials, at least in the North West Frontier Province. I will assume here for the purposes of this argument that the Hindus of Kohat were, in the first instance, to blame, and that they had provoked the Muhamadans of a fatal attack on them; still it was the duty of the British Government to keep the Hindus in Kohat, to protect them from further molestation by the Muhammadans at any cost, to restore order and peace and then to proceed to try and punish the guilty persons. Practically what happened at Kohat was that the authorities considered themselves overpowered and incapable of granting the necessary security to the Hindus. We have often heard of lynch law. What is lynch law? It is nothing else but the perversion of the ordinary course of justice and the preventing of the authorities from proceeding according to law. Was not the happening at Kohat an illustration of the same tendency? The law demands that every accused person should be fully protected from molestation by his accusers, until a court had

found him guilty and sentenced him legally. Assuming that the Hindus of Kohat were inthe position of accused persons, it was the duty of the Government to arrest them and keep them in safe custody until they could be placed before a court of justice and regularly tried. The British Government admittedly failed to do this at Kohat. Even assuming that the Hindus wanted to go away for fear of their lives, it was the duty of the Government to dissuade them, and provide sufficient military security to enable them to stay in their homes. No one wants to leave his home and property in the way the Kohat Hindus did, unless he felt that his life was no longer safe. This particular incident has disclosed a new phase of the communal strife. [illegible] which should be particularly noted by those who want to patch up and create an appearance of unity without going to the root of the problem.

As regards Mahatma Gandhi's fast, it is an open secret that the desecration of Hindu temples, one after another, at Amethi, Gulbarga, Kohat and other places, and the tragedy of Kohat gave him such a shock that he considered it his duty to undergo a penance for his misunderstanding and mishandling the Hindu-Muslim situation during the last three years. For the first time he felt miserable at the thought that he, who had striven his best to obtain Hindu cooperation for the saving of the Mohammadan "temple" Khilafat, had to see desecration of Hindu temples by tens, in most cases without any provocation, at the hands of Mohammadens. The sense of helplessness and disappointment generated by this shock impelled him to impose a purificatory penance of 21 days' fast on him, in the hope that whilst he purified himself of any sin that he might have committed unconscioulsy he would be able to create an atmoshere which might give opportunities of improving Hindu-

Muslim relations. My first feeling was one of disapproval. On reaching Delhi, however, I felt that the impulse which forced him to take the vow could not perhaps be satisfied otherwise. Similar was my feeling about the Unity Conference ###. I do not think the Unitey Conference has solved the problem or could possibly solve it, but on the whole, it has been useful in paving the way for the right understanding of the problem with its various complications and implications. Mahatma Gnadhi is now resolved to devote the best part of his energies, time and attention to the solution of this problem. From the bottom of my heart I wish him success, but he will not succeed unless he devotes himself wholeheartedly to the understanding of the real causes that undakisx underlie the present situation, and scrupulously avoids proceeding on assumptions and presumptions engandered by affectionate relations with friends, and well-meaning but ineffectual professions of devotion on their part. He must adopt a scientific attitude towards this question and proceed by scientific methods to find out the root causes of trouble and its possible solutions. I have resigned my position of leadership in the Congress in order to be free to express myself. I am going to speak the truth and the whole truth plainly and untrammlled by any delicate feeling about the responsibilities of leadership, and unaffected by what any one might think of me. Anybody may criticise me, but I will not enter into controversies. I have considered it necessary to say all this before I start giving expression to my views on the subject.

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The Tribune dated November 28, 1924, page 2, cols.1-2.

THE HINDU-MUSLIM PROBLEM- II

(By Lala Lajpat Rai)

In the discussions at the Unity Conference held at Delhi onething struck me very forcibly. That was the fact that so many of the ablest and most patriotic Mohammaden youngmen as well as a few hindus were obsessed with the idea of "absolute rights". Time after time it was said that the Muhammadens had an inherent right to slaughter cows and that that right could only be curtailed by their own voluntary sacrifice. It was on the basis of "absolute right" that draft resolutions had actually been prepared by a number of youngmen who counted among them some of the most brilliant and self-sacrificing workers in the Congress organization. And yet, as I have pointed out more than once, the idea f absolute rights is a fallacious one and has really no foundation inlaw. Pandit Motilal Nehru, the President, also took pains to explain the same point of view. I am not quite sure, however, that the explanations were quite satisfactory and as the idea seems to me to be shared by a large number of men, I would like to deal with it at some length.

NO ABSOLUTE RIGHTS

I contend that there is no such thing as an absolute right vested in any individual or in any community forming part of a nation; that all rights are relative that no society can remain intact even for 24 hours on the basis of absolute rights, that the idea of absolute rights was exploded long ago, because it was found to be not only wrong in theroy but pernicious in pratice. I have no desire to encumber this paper with quotations from the writings of great thinkers and legislators of the West. The point seems to me to be so simple as not to require much labouring. All organic###### relations depend upon

the mutual obligations of the members composing the organism. No part of the organism has any absolute right. Firstly, all the rights of an individual are subject to the equal rights of others, which fact creates duties and obligations on the part of the different members of a society towards each other. In a well ordered social organism no one has a right to do any thing which will unreasonably clash with the legal interests of any one else. Nay, in order to secure goodwill and progress, the more advanced members of a social organism have sometimes to go further and sacrifice their interests for the common weal, or for the benefit of the other members of the community. The protection of the poor, solicitude for providing for the necessities of those who can not look after themselves the widows, the orphans, the blind, the lame, the aged, the minor etc. all fall under this category.

DUTIES VERSUS RIGHTS

There was a time in the history of Europe when great emphasis was laid on the rights of man. That was the time of the French Revolution. Thomas Pain's "Rights of Man" was a typical reflection of the mentality of that generation. Within less than fifty years it was found that the theory was entirely fallacious and pernicious. Mazzini's "Duties of Man" was a complete and convincing reply to Pain's "Rights of Man". The French Revolution was based on the Rights of Man and the constitution begins with the declaration of the rights of man. The American constitution makes the same attempt. In actual practice, however, the rights are subject to great limitations in both. Take for example, the liberty of speech and the libertyof the press whichare guaranteed by both the constitutions. Can any one, in his senses, contend that either the French or the American Government is in the least deterred from curtailing these rights whenever it thinks it best in the interest of the nation to do so? I happened to be in the

United States during the war, and I saw with my own eyes how the so-called fundamental rights guaranteed to the people by the constitution were taken away by them under one pretence or another, either by Federal Legislation or by the action of the Government. Every one seems to have the right not to be forced to fight against his will. Yet during the Great War, this right was denied by all the several Governments concerned and every where people were forced into the army against their will. Everybody knows what a great fight the conscientious objectors had to make, against this curtailment of their so-called right and the sufferings which they were made, in consequence, to undergo. An individual may have an absolute right to think what he wishes, but the moment it comes to the expression of the thought in speech and action, his right is hedged round by conditions and limitations. This is the legal and the constitutional aspect of the question. As regards its ethical aspect, it is absolutely clear that it is nobler to emphasize duties rather than rights. People, who insist on rights rather than duties become selfish, proud and self-concentered. Those who emphsise duties, are quite the reverse. The highest development of humanity and of the spirit of service requires greater emphasis being laid on duties than on rights. That is the teaching of almost all the great religions of the world if properly understood and rightly interpreted. That is the teaching of Budha, Christ and Gandhi, It is also the lesson of actual day-to-day experience. It is certainly productive of infinitely greater good in a community if its members are inspired by the ideal of doing nothing which may be painful to other members, even if this means the denial to themselves of some of their so-called rights. Anyway one thing is certain . No member of a society can be allowed to exercise his rights in such a way as to clash with the just

rights of others. The two rights must be so adjusted and co-related that they might be exercised without doing injury to each other.

IDEAL OF DUTIES ESSENTIAL TO UNITY

I was really astonished to find that some of those youngmen who have been in the closest touch with Mahatma Gandhi, should have been found harping on this doctrine of rights, because as already stated and as was pointed out at the Conference itself by Mr. Rajagopalacharya, his teaching is obviously based more on the doctrine of Duties than on that of rights. I would advise my young countrymen to think over this question a little more deeply, to read the literature on the subject a little more carefully, and to free themselves from the obsession of this pernicious doctrine of rights. Unless this is done, there is no hope for unity in India, We must always remember that we are a sort of poly-glot nation, much less homogeneous than any of those European or Western Nations who have had to fight for their freedom. Such a country can never win its freedom, or, having won freedom, can never maintain it unless the various communities composing its people are inspired more by the ideal of duties than of rights, No unity is possible if every one insists on his pound of flesh, and without unity there is no freedom.

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The Tribune dated November 30, 1924, page 2,7, col1-2/1-4.

HINDU-MUSLIM PROBLEM -- III

(By Lala Lajpat Rai)

LAND OF MANY RELIGIONS

All those who aim at creating a United India, should remember that India is a land of many faiths and many religions; that these faiths and religions again, are divided into sections and subsections; that these sections, and subsections practise numerous religious observance,

ceremonials and rituals and that some of these rituals and that some of these rituals and observances conflict with one another. It is impossible for any Government to guarantee to all these religions, sections and sub-sections, full and complete freedom in the matter of the observance of all their rituals and ceremonials especially when they are in conflict with one another. Some of these ceremonials and observances, moreover, are inhuman, cruel and immoral. To insist upon, and to emphasise the right of every community, small or large, to a strict and full observance of all their religious rituals and ceremonials is, therefore, a clear impossibility, besides being directly opposed to the idea of a United India. The British Government, in spite of its professions of religious neutrality have, from time to time, interfered in the matter of religious practices; for example they stopped by legislation the inhuman practices of sati and infanticide which Hindu orthodoxy contended was a part of its religion.

THE REFORM MOVEMENT

It is not my purpose here to enter into details but a student of the religions of India will easily be able to confirm my statement that the advent of British rule in India, followed by a diffusion of western knowledge and western sciences and accompanied by a revival of the study of Sanskrit and Arabic, led to a number of religious reform movements being started, in order to purge the religions of India of all such superstitions and excesses as had been engendered in them by centuries of ignorance and blind faith. In the light of their new knowledge, people found that many of the rites and ceremonials and observances practised in the name of a religion were not sanctioned by the scriptures of that religion and were opposed to the spirit of the founders and the early expounders of that faith. It can not, however, be denied that

there are communities in India who still believe in the necessity and efficacy of various kinds of rites and ceremonials which are positively inhuman and immoral. Society cannot interfere with the beliefs of any one, but no progressive society can allow such practices to be carried on with impunity even in the name of religion as are revolting to the sense of humanity and morality of the vast bulk of its members. Even allowing the largest possible liberty in the matter of religious observances no nation can for all time tolerate such practices.

RATIONALISING RELIGION

From a political point of view it is all the more necessary that religious differences be narrowed down. It is obvious that if everyone in India is, as of right, entitled to practise in the name of religion, whatever he believes to be a part of his faith no unity is possible. The idea of a United India demands that emphasis should be laid more on the points on which different religions agree than on the differences that divide them. The idea of a United India necessarily demands, therefore, the rationalising of religion and religious practices to the furthest extent possible. The claim that everyone has a right to full and unrestricted observance of all that he believes to be a part of his religion can not possibly stand the test of analysis. Not only is everyone's right limited by the just rights of others, but insistance on the observance of conflicting ceremonials has to be actively discouraged and all such ideas based on false notions of religion as increase hatred, estrange one community from another, and create barriers between different communities and thus make communal consciousness more acut and bitter, have to be gradually eliminated.

PETTY DIFFERENCES MAGNIFIED

Unfortunately for us even religious reform movements in India have in some cases taken a wrong turn. They have brought into prominance the observance of very many rites and ceremonies which do not form an integral part of the religioms concerned and have nothing to do with Dharma. Communal consciousness, again, has come to be synominous with the observance of such petty ceremonials as perpetuate differences and form a solid wall separating one community from another. The Arya Samaj, the Muhammadan reform movement and Sikh reform movement all illustrate this tendency and it can not be denied that Mahtma Gandhi himself and the Khilafat movement, of which he was the strongest pillar, have also accentuated this feeling.

MAHATMA GANDHI, A PUZZLE

Mahatma Gandhi's personality is, to a certain extent, a puzzle. In practice he is a liberal of liberals and a broadminded humanitarian. He declares untouchability to beinhuman and is pledged to root it out, in spite of the fact that tens of millions of Hindus regard it as an essential part of thir religion. In theory, on the other hand, he sometimes seems to be supporting narrowmindedness even superstitious sectarianism in some of its aspects. This has brought about a reaction and has given a new life to those Pandits and Maulvies who, before his advent, were fast losing influence among their respective communities. The result is that within the last three or four years, Hindu sectarians have become more bigoted than they were ever before, and Muhammaden and Sikh sectarians still more so. The reactionaries amongst the followers of these religions have again come into power and are exercising a baneful influence in keeping the communities apart from each other, and in bringing into prominence very many petty observances practised in the name of religion, and

calculated to divide instead of uniting the several communities.

THE KHILAFAT MOVEMENT

I have no intention of offending any body's susceptibilities, but if the existing conditions are properly analysed it will be seen that sectarianism and narrow-minded bigotry have been very much strengthened within the last three years. The Khilafat movement has particularly strengthened it among the Muhammadans, and it has not been without its influence and reaction on the Hindus and Sikhs. We do not ignore the important part which communal representation under the Reforms scheme has played in bringing into existence strong communal consciousness, thus making the relations between the two principal communities more acute and bitter than ever before, but our present concern is with this particular aspect of the matter.

ESSENTIALS AND NON-ESSENTIALS

If we really and honestly want a United India we, i.e. the different religious communities in the country shall have to make a clear distinetion between essentials and non-essentials in eligion. Full religious freedom does not mean or imply full and unfettered liberty in the matter of observances and practices which affect the just rights of other communities or otherwise injure their feelings. The assertion of such a right, either individual or communal and and the belief that the British Governmen will enforce the practice of such a right, has done a great deal of mis hief in India. Take, for example, the case of the North-West Frontier Province. In a village where the poulation is 99 per cent Muhammadan and oddly 1 per cent Hindu, the assertion by a Hindu of his right to carry

idol in procession along the streets of the village where many mosques are situated, would be an extremely foolish act. The assertion of the right of sacrificing cow by a Muslim in a place like Ajudhia, Mathura, Bindraban or Hardwar would be of the same nature. Unhappily the British rule has encouraged both Hindus and Mohammedans to assert such rights and to fight if they are denied. The philosophy of individualism and the idea of absolute religious freedom, both of which, as I have already pointed out, in an earlier article, are wholly wrong and which in India are at the present time directly traceable to British rule, have taken such a firm root in the minds of Indians that it is plaing a havoc in all phases of our national life; and consequently the first step towards the creation of a real national life would be a widespread propaganda carried on to educate public opinion in matters of this kind on right lines. To me it is an unpleasant paradox in this connection and a puzzling commentary on the present situation that men and women who break every day of their lives almost every canon of Hinduism or Islam by acts of omission or commission, should not only pose as leaders of their respective communities but should actually beaccepted as such.

HINDU-MUSLIM PROBELM - III

(No absolute freedom)

The sum total of my reasoning is this, that one of the causes of the present tension between Hindus and Muhammadans has been the unfortunate revival of the idea of absolute freedom in the matter of relgious observances. As I hav already said, no one can interfere with or question the belief of another, Such belief is entirely the concern of theindividual so long as it does not enforce itself in action. But when we come to observances we have to consider the environment in which we live and in the

interest of peace and neighbourly good will, to avoid social collision, have to sacrifice a certain amount of our freedom.

A MISCHIEVOUS IDEA

In a country like India, to inculcate the idea that every religious practice so far observed or presumed to be sanctioned or enjoined by one's faith, is holy and sacred and unchangeable, is, in my humble judgment, mischievous, and requires to be counteracted. At the present stage of its development India requires more of rationalism and tolerationthan orthodoxy andbigotry. Unhappily during the last decade we have created an atmosphere which smells more of orthodoxy andbigotry than of rationalism and toleration. The non-cooperation movement itself has materially contributed to the creation of this atmosphere. It was unfortunate that the Khilafat movement in India should have taken its stand on a religious rather than political basis. There were political grounds to support it. It was still more unfortunate that Mahatma Gandhi and the leaders of the Khilafat movement should have brought religion into such prominence in connection with a movement which was really and fundamentally more political than religious. The desire to seek religious sanction for the various items of the non-cooperation programme was ######## another great blunder. It led directly to the revival of a sectarian zeal and to the re-enthroning of influences and forces which were antagonistic to the idea of a united India. Non-co-operation which was based on the idea of Hindu-Muslim unity, thus became one of the forces favouring disunity. Never before did I see educated Hindus, Mussalmans and Sikhs attaching so great an importance to insignificant and petty things in the name of religion as they do now. Shastras and Shariats hav been studied and requisitioned only to

create an atmosphere of narrowness and bigotry. I have seen young Muslim gentlemen being vigorously attacked by Maulvis for daring to shave their beards, and all India saw the spectacle of a Muslim President attempting to stop the playing of instrumental music at an annual meeting of the National Congress. We have heard of many more amusing claims being put forward in the name of religion, which could never have been imagined before. The last four years, by the way, have brought into existence a legion of Maulanas, Pandits and Gyanis whom no one had ever credited with any religious sanctity or spiritual prestige.

UNTOUCHABILITY

I mean no offence to any one, but I am stating these facts to illustrate my point. Take, for instance, the playing of music be ore mosques. In my experience of the last forty yers I hadnever felt that the question was of any importance at all and yet I hadbeen a constant reader of newspapers, and a faithful observer of events. It is similarly a matter of pain to me to notice that some of the most broadminded Hindus who have travelled all over the world should ~~kax~~ feel the necessity of observing any sort of untouchability towards Muhammadans. You can not expect India to be ever politically united as a single nation, as long as there are Indians who believe that it is againt their religion to drink water or eat food touched by a non-Hindu. I remember a great Samaj leader once denouncing Congressmen for having sold their religion for thesake of unity and the selling consisted in this opinion, in their freely eating and drinking with the Muhammadans. The fact is that a large number of Hindus and Muslims who profess a desire for Hindu-Muslim unity and who talk of a united India, do not realize that unity has a price which they will have to pay before it

can be achieved. I do not maintain that either Hindus or Mushammadans should sacrifice the essentials of their religion for the sake of unity. For me, personally, the essentials of Dharma are very few, indeed, and they are such as make for unity not only in India but throughout the world. But I have no right to and do not expect that the lage body of Hindus and Muhammadens will share my view on this point. I must, however, say frankly that unity is a dream never to be realised unless Hindus and Muhamadans, Sikhs and Christians, make up their minds to be more liberal and rational intheir religious and social life than they at present are.

RELIGION AND POLITICS

The narrow religious atmosphere which at present dominates Hindu and Muhammadan and Sikh communal life is fatal to the idea of a united India, and the sooner the leaders of all these communities realize the truth the better for us all. I can not subscribe to the proposition that either Hinduism or Islam is so narrow as to make it impossible for the followers of the two religions tobecome politically united. To be frank, we will have to follow Europe in this matter if we really desire political freedom. Religinmust be divorced from politics Social life must be broadened and political life based only on broad national policy. I don't mean to say that religion should be divorced from our lives or that our political structure be divorced of religious influences inthe higher sense of the term. Healthy religious influences are undoubtedly necessary for the development of character, personal as well as national. I say nothing against religion or Dharma inthis sense, but I do mean that ceremonial aspect of religion should only be the concern of individuals or of communities and should notbe permitted to create barriers or political distinctions between the followers

of different religions or between different religions communities as such.

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Since writing the above, I have re-read Mahatma Gandhi's articles on Hinduism and on Hindu and Muslim Unity. His views on Hinduism are fairly liberal, however much one may differ from his explanation of the caste system and from hisinterpretation of the worship of cow. In one of his articles he says: "I hold that we may not dignify every trifle into a matter of deep religious importance"; and further "In all non-essential matters, a Hindu must yield for the asking". As an instance of non-essentials he remarks: - "One can easily appreciate the Musalman sentiment ofhaving solemn silence near a mosque the whole of 24 hours." In the whole of his writings I have failed to come across one sentence where he administers similar admonition to the Muslims. His pleadings for the protection of cow are couched ina different style. I have come across other observations, somewhere to the effect that he would not have either of the communities give away even a title of their religious faith for the sake of unity.

The Tribune dated December 3, 1924, page 2, col.-1-2.

HINDU-MUSLIM PROBLEM - IV

The observations made in the last article raise several cognate questions, which may profitably be discussed before we come to the political and economic aspects of the problem. Are the Hindu and Muhamaden religions and cultures so fundamentally different, or to be more exact, so antagonistic, as to make their followers naturally and instinctively hostile to each other? If so, what chances are there of our being able to bring about a unity between the two?.

HINDUISM

It is said that Hinduism is not a dogma, that it is almost impossible to define it, that it is a system of life of whichcaste is an essential feature; and that as long as caste is there, it is impossible to make it sufficiently tolerant and progressive, so as to make unity and cooperation with other religious communities either easy or even possible. Yet it is an admitted fact that in spite of a rigid caste system and a rigid code of social morality, Hinduism is the most tolerant of all the great religions of the world. Hinduism does not ridicule or despise other people's beliefs or faiths; nay it does not question other people's right to follow their own faithand attain spiritual satisfaction thereby. It lays no exclusive claim to be the only royal road to salvation. It is not out to convert other people and thereby save them from hell or perdition. In fact it expresslylays down that for different people, in different stages of physical mental and spiritual developments, there are different ways of approaching God and obtaining satisfaction and salvation. To its own followers it allows the fullest freedom to believe what they like and to worship as they please.

CASTE SYSTEM IN MELTING POT

Even its rigis social code and its caste system are in the melting pot. While formerly Hindu society allowed its members to go out of it, nay actually expelled and outcasted them on the slightest pretext and on the flimsiest possible ground, at the present moment it is prepared to make all kinds of allowances for the disregard of its social code by its members and is anxious to keep them within its fold. There was a time when high caste families, rich, influential and cultured, were outcasted and thrown out of Hindu society on the most intangible grounds, out of

sheer suspicion and bigotry. Now even open beef-eaters are tolerated, excused and honoured. There are numerous men and women in Hindu society, honoured and respected members of it, who openlydefy and violate the most important canons of its social code -- men who have not only married out of caste but even foreigners, men who eat prohibited food and make no secret of it, who t ke prohibited drinks without any efforts to conceal the fact, men who ridicule the Vedas and are atheists. We find that amongst these latter are some of the most notable leaders of Hindu society. How canwe explain this strange change? To what is this due, and what does this signify? To my mind the change indicates the realization by the society and its members of a higher Hinduism which is above forms and formalities -- a culture that is more of the mind and of the spirit than consisting in eating, drinking or even marrying, along certain accepted lines. It is this realizati n which makes men and women who have risen above forms and formulas to still feel proud of Hinduism to be anxious for its assured continuance in their country for the benefit of their children and their children's children. It is this realisati nwhichexplains the phenomenon of beaf-eaters, husbands of foreign women, scoffers of the Vedas, inshort, extremely unorthodox and outwardly un-Hindu people champion the cause of Hinduism, standing shoulder to shoulder with the orthodox in the defence of their temples, shrines, festivals customs etc. and resenting as strongly as the latter, the attacks of non-Hindu missionaries, preachers and proslelytysers on Hinduism and Hindu community. But there is another reason also which explains the phenomenon. The material and political prospects of this class are bound up with those of the rest of their community. It was not so very long ago that many of these people dissociated themselves from the great bulk of the Hindus, while some of them openly said rather withpride, that they were not Hindus. The recog-

nition by Government of the communal system changed the situation. They found that except as Hindus they had no status and their children would have none unless theycho e to adopt Islam. This theynot prepared to do. So, willy nilly, they had to declare themselves Hindus and seeks#### selections from general non-Moslim constituencies, basing their claim on their championship of Hindu rights.

ISLAM

Unlike Hinduism, Islam is a faith of dogmas and doctrines. Every Muhamadan must believe not only in the existence of God without a second (La Allah Il Allah) but also that Muhamad was His prophet and that the Quran is his final word. He must also believe, according to the orthodox school, that Muhammad was the last of the prophets and whatever he said and did is binding on all his faithful followers. There have been expounders of Islam who have tried to raise it to a kind of high occultism, but their efforts have not met with any considerable success, and Islam remains, to all intents and purposes, with the majority of its followers, what it has been all through centuries past. My Muslim friends will pardon me if I venture to say that too great an insistence on dogma has been the bane of Islam, the cause of its political downfall, and that unless it is given up, it will stand in the way of Islam ever regaining its lost positionas a world-wide political factor. Islam is as much divided and sub-divided into sections and factions as Christianity once was and perhaps to this day is.

ISLAM AND TOLERATION

The division and sub-division of Hindu society into sects have one redeeming feature. The general tolerance of Hinduism prevents them from destroying each other. History shows that this can not be said of Islam.

Religious intolerance of the severest kind has been a handmaid of chivalry, bravery, zeal, learning and piety among the Muslims throughout Muslim history. Three out of the four first Khalifas were murdered by their follow Muslims. The pages of Muslim history are full of similar acts done by religious zealots or politcal adventurers. One would have thought that recent events in Turkey and Egypt would have chastened Islam at least in this respect. But the stoning to death of an Ahmadia by the orders of the Government of Kabul and the approval of that barbarous act by some of the most prominent and educated leaders of Muslim India have shown that the canker is still there and has not lost an iota of its original violence. Egypt and Turkey, however, seem to be in a different mood. It appears that they, at any rate, have realized the necessity of marching with the times and making a clear distinction between essentials and non-essentials. The Indian 'Maulanas' may call them "bad Mussalmans", but they do not care as long as they can retain and protect their political freedom. A religiously "bad Mussalman" (A Turkish Nationalist told me that an Indian Mussalman once called him a bad Musalman, because he occasionally took a peg) is an infinitely better person than a Mussalman who bows his head to a foreign power and who prates of his "Shara" to perpetuate his bondage. The "bad Mussalmans of India who, though professing great regard for the most insignificant and minor details of "Shara" and "Hadis" are willing tools of a foreign bureaucracy and are purchasing places and preferments for themselves and their fellow Mussalmans by resorting to various questionable means. It is a sign of the times that while Mussalman piety finds such eloquent expression in its fights with Hinduism it is dumb and powerless in the presence of

leaders who openlydefy, by acts of omission and commission, some of the most sacred canons of Islamic Law. Is it not a fact that just as in the case of Hindus, Muslims accept as leaders, men who do not believe inthe infallibility of the Quaran, who disclaim any faith in "Hadis" and "Fiqah", who openly and undisguisedly drink wine, eat bacon, do not say prayers and do not observe fast inthe month of Ramzan, not to mention minor matters, such as their opinions about pardah keeping beard etc? It comes to this then what while Hindus and Mussalmans are prepared to be led by men who openly flout all the sacred canons of their respective faiths they are not prepared to relax by a hair's breadth the severity of their customs and rituals and observances, in order to live in peace and neighbourly good-will with one another. A united India will mean freedom for both Hindus and Musalmans but they prefer the strict observance of the most futile and non-essential elements of their respective faiths to freedom. Is this not a sight for the gods to weep over?

THE RELIGIOUS CANKER.

I am firmly convinced that we can not create a united India and can not win Swaraj in any shape, unless the religious canker is removed. "Mazhab" (in its narrowest sense) as my beloved friend Stokes often reminds me, is the curse of India, and as long as it rules supreme, there is no hope for India. The idea that we can remain "good Hindus" and "good Musalmans" in the narrowest sense of these of terms, and yet win Swaraj, is in my judgment, an absurd one. It has done a lot of mischief within the last four years. I still believe that we do not need to depart in any manner or degree from the true and essential spirit of Islam and Hinduism in order to be free and united. There are good and true

Christians, Roman Catholics and Protestants, Presbyterians and Anglicans, Jews and Gentiles in Great Britain, France and Germany, but the earnestness of their religious faith does not prevent their being free citizens of their respective countries. A hundred years ago, who could have imagined that a Jew would one day be the Prime Minister of Great Britain, another a Secretary of State, and a third a Viceroy of India?

The Jews are perhaps the smallest religious community in Great Britain. They never claimed any special representation in Parliament or any specific share of Government posts. In fact about 150 years ago the communal consciousness of the Roman Catholics and Protestants in Great Britain was as keen and exclusive as that of the Hindus and Mussalmans to-day. For a long time the Roman Catholics were excluded from Parliament and could not be employed in any Government office, and still they never claimed any special representation. Now all these disabilities have been removed andRoman Catholics, equally with the Protestants, hold the highest positions in the State. In this matter the example of Great Britain has been followed in all the great countries of Europe and in the United States of America, and the result is what we see. I am certain in my mind that Turkey, Egypt and Syria are going to do the same thing, and if they do not, they will never be free. Does any one expect India to be the only exception to the rule?

The Tribune dated December 5, 1924, page 2/7, col.1-2/4.

HINDU MUSLIM PROBEL - V.

(By Lala Lajpat Rai)

The considerations urged in the last article are so important and relevant that I will not apologise for laying further emphasis upon them. Every possible effort should be made (a) to integrate the different religions

as much as possible by emphasizing thepoints on which they agree, by eliminating non-essentials and by restricting essential differences within the narrowest limits.

(b) to remove all barriers to free social intercourse between the communities, which do not go to the root of any one's faith.

HINDU UNTOUCHABLES

Let us take the question of untouchability. I find no sanction for it in the Hindu Shastras. I find no mention of it in history. As far as the Hindu untouchables are concerned, most sensible Hindus are agreed that in t their case, at least, it is senseless, inhuman and intolerable, because of the fact of their being followers of the same religion and members of the same community as the so-called higher castes. Some of the advanced reformers like the Arya Samajists are prepared to at once raise them highin the social scale by investing them with the sacred thread and starting interdining and inter-marrying with them. Even the most orthodox are in many cases prepared to let them on their floor, to admit them in ~~xx~~ common schools and to remove all outward and palpable signs of pollution by touch. In their case, at least, untouchability is doomed and will, I believe, disappear in a very short time. The ultra orthodox will no doubt foam fret , oppose and resist. Here and there they will outcaste and break social relations with the reformers. But the number of the latter is so large already and is growing so much larger and larger as to reduce the orthodox to impotence. Take the case of Mahatma Gandhi or of Seth Jamnalal Bajaj or of Swami Sardhanand or of L.Hansraj. ~~Has~~ Has the orthodox Hindu community the will and the power to excommunicate them and throw them out of the pale of Hinduism? I am not in favour of forcing pace and

and wounding the feelings and the susceptibilities of the orthodox, but I know that in this respect at least orthodoxy is doomed. Its days are literally numbered.

NON-HINDU UNTOUCHABLES

In the case of non-Hindus, untouchability takes a different shape. In their case, no pollution by touch is recognised. But it is not allowed to eat or drink food or water touched by them. This practice is also doomed. As I have said, I can find no authority for it in the Hindu Shastras. It was probably based on the idea of non-cooperation with foreign rulers who happened to be beef-eaters. It was good and effective as long as the Muslims in India were the enemies of the people or their conquerors, and and the Hindus could hope to turn them out by establishing a Hindu Raj. It is no longer possible. The enemies of the 8th to 16th centuries form an important population today. They are neither foreigners nor rulers. Racially they are inthe vast majority of cases, the bone of our bone and the flesh of our flesh. Formerly, a Hindu who once drank water or ate food touched by a Mussalman was immediately lost to Hinduism, never again to return to its fold. Thanks to Guru Gobind Singh, Swami Dayanand and other reformers that idea has been exploded and exploded for good. Even born Muhammadans can now be admitted into Hindu society. Under the circumstances there is no excuse now for continuing or perpetuating this prejudice. But prejudices like these take time to die. Die it must, why not then hasten to destroy it by active efforts. I know that some distinguished Hindus will take exception to my statement and may even denounce me for it. But I am out to speak what I believe to be the truth and the whole truth. It is absolutely necessary for producing an atmosphere of neighbourly good will and for creating a United India that the existing prejudices should be given up. You can not make a united

nation of communities between whom such barriers in the matter of social intercourse are recognised and enforced. Moreover, the abolition of the practice will be useful to Hinduism in an other way. It will remove all fears of forced conversion by making a Hindu drink water or eat food touched by a Muslim. It may be noted that I am advocating the removal of the restriction as a barrier and not the necessary introduction of interdining.

THE "KAFIR" THEORY.

Take anohter case, an equally important matter. There was a time when in the eyes of the Muslims all Hindus were Kafirs and it was implicitly believed that the property and the women of a Kafir were legal prizes of war for a Muslim. The times are changed and with it the conception of a Kafir must be changed. No Hindu who believes in and worships one God, can, by any stretch of language be called a Kafir unless the definition of a Kafir be that every non-Muslim is a Kafir. In the eyes of a large number of Muslims the latter is the right definition of a Kafir and according to "Ulemas" even those Muslims are Kafirs who, although believing in Allah and His prophet, do not follow other tenets of Islam. as understood and interpreted by them. For example, they pronounced Sir Syed Ahmad to be a Kafir and they denounce the followers of Mirza of Qadian also as Kafirs. If they are right, then H.H. the Aga Khan is the biggest "Kafir" and so are Ghazi Mustafa Kamal Pasha and Zaghul Pasha also. If then their definition of a Kafir is right, there can be no peace between them and the rest of the world. In that case all this talk of Hindu-Muslim Unity is superficial, absurd and hypocritical. In the course of the non-co-operation campaign, some of the Ulemas cited particular "ayats" (sections) of theQuran to prove that Muslims could enter into lawful agreement with such non-Muslims as were

friendly towards them, against those who were inimically disposed towards them, brought fire and sword into the homes of the latter and otherwise injured them. Now to be frank, this kind of special pleading does not appeal to my intellect. It is not a mechanical union of this kind that will make a nation of us. What is needed is a chemical union. Are the Hindus "Kafirs"? If they are, all talk of unity between Hindus and Muslamans is absurd.

NEED OF CHANGE OF HEART

No Musalman or body of Muslmans in India or outside has any right or authority to bind other Muslmans. Leaders come and go; there is no one in India who can speak inthename of the whole Muslim community. The pact of Lucknow had no value or binding force unless it was accepted by Government and embodied in law. No agreement made or arrived at a meeting of the Congress or Khilafat has any binding legal value. Any thing agreed to by the present leaders or even the JamiatulUlema can be questioned by any other Muslim and with even greater force by the succeeding generations. Even an agreement embodied in law or forming part of a declaratin of rights is of no binding value on the future generations of Hindus and Muslims. Laws change withthe lawmakers. A law made today may be no ot ofvalue 50 years hence. Under the circumstances, agreements or pacts won't take us sufficiently far. What is needed is a "change of heart". All efforts of the present generation of Muslim leaders should be directed to removing the idea that the Hindus are Kaffirs.

RESPONSIBILITY OF MAULVIS

Ordinarily, the relations of Hindus and Musalmans in villages and small towns are most cordial. The present tension is the development of the last 50 years. But what has happened during the last 3 years, has

beaten all record. Some people are of opinion that special efforts have been made to bring about this state of things to prove that India is unfit for Swaraj and that no further advance is safe in the matter of political reforms. In certain quarters there is a tendency to throw the entire responsibility on the officials of the foreign Government. While sharing the belief that the latter have had a hand in it, I cannot help saying that Muslim Maulvies, Maulanas and Associations have had a much larger, in fact a lion's share, in it, though, of course, it is not meant that the Hindus are quite innocent. The fact that wherever there hav been riots between Hindus and Musalmans, the later have looted the former, desecrated their temples and assaulted their women, betrays the widespread diffusion of the idea that the Hindus are "Kafirs" that the Muslims are in a x state of war with them, and that in fighting them, their property and women are "halal" for the Muslims. There are some persons who xf maintain that this has been the work of Goondas. I say, no! The riots have been inspired by cleverer brains than those of the Goondas they have been encuraged and supported by influential people. It is only the actual outrages that have been committed by Goondas, fanatics and poor people.

DUTY OF MUSLIM LEADERS

An estimable Muslim leader has propounded the theory that the fact that the Hindus are rich and the Muslims are poor, explains these riots. Assuming the explanation to be correct, how does he explain the irre-buttable fact that the poor Musalmans do not loot their rich fellow religionists? The real explanation is that the latter are Muslims and the Hindus are Kaffirs. This notion has been rubbed ito the mind of the Muslim masses and Muslim middle classes, by clever propagandists and influential leaders. It is the duty of the Muslim natio-

nalist leaders to inaugurate and carry on an extensive propaganda to destroy thisnotion and to impress on the minds of their coreligionists the truth that Hindus are not Kaffirs and that even on the occasion of fights and quarrels, their temples their women and their property are inviolable and unassailable.

The Tribune dated December 7, 1924, page 2, col. 1-3.

HINDU MUSLIM PROBLEM - VI

(By Lala Lajpat Rai)

COMMUNAL REPRESENTATION

In this article I propose to trace the history of the evolution of the idea of Communal Representation and separate communal interests. It was in the seventies of the 19th century that the movement for the establishment of the M.A.O. College at Aligarh was started and it was about the same time that the Arya Samaj was founded. The idea of a united India was present to the minds of the founders of both when they met at Delhi on the occasion of the Imperial Durbar of 1977. But they soon found out that it was impossible to unite India on the basis of a common faith. The Indian National Congress had not then come into existence, and the idea at back of Sir Syed's mind was to found an institution which would enable Indian Muhammadans to make up for lost time in the acquisition of that western knowledge which was, in his eyes, sine qua non of wordly prosperity both under the Government and otherwise.

THE ALIGARH COLLEGE

Sir Syed was materially helped and supported in the development of his idea by influential Hindus. Rich Hindus and Hindu princes liberally subscribed to the funds of the Aligarh M.A.O. College. But the idea of a denominational college necessarily carries with it emphasis on communal characteristics and communal

glories. It unavoidably increases communal consciousness. So it was here. Again, the success and the popularity of Aligarh College depended largely on its alumni finding high and lucrative posts under Government. At first the great Syed's personal influence with the high officials sufficed for the purpose, but it was soon found that it was unnecessary to supplement it by insistence on communal claims. Thus comparative statistics of Hindus and Muslims in Government services became a characteristic feature of the deliberations of the Muhammadan Educational Conference even in its early days. Sir Syed was a great religious and social reformer. By his liberal expositions of Islam and by his attempts to rationalise Islam he drew upon himself the wrath of the Muslim Ulemas, and they raised a storm of prejudice against him. His strength lay in his alliance with the Government. Whether the idea of this alliance had taken hold of his mind even before the Indian National Congress was founded, cannot be definitely asserted. What is certain is that after the foundation of the latter it became a definite article of his political creed. Thus the Aligarh school of Muhammadans became characteristically anti-Hindu and pro-Government.

THE ARYA SAMAJ

On the other hand, the Arya Samaj activities in the Punjab brought into existence a community of Hindus wh began to lay emphasis on the glories of ancient India and also on the outrages committed on Hindus and Hindu temples etc. by Muslim rulers. These Arya Samajists borrowed their ideas of political freedom from the writings of Thomas Paine, Joseph Mazzini George Washington etc. They attempted to unite Hindus against non-Hindus both Christians and Muslims. The D.A.V. College stood for Hindu unity, Hindu progress and Hindu consolidation. Thus came into existence

the two classes of Hindus and Muslims who stood for sharply divided communal consciousness and communal consolidation with only this difference that while one preached the cult of political freedom, the other preached that of alliance with the ruling power. This difference became the foundation of that fire of estrangement which has since burst into flames and now threatens to reduce to ashes all hopes of a united India. The Aligarh educated Muslims on the one hand and the Arya Samajists on the other have, since then, been the doughty standard-bearers of their respective faiths.

DEMAND FOR COMMUNAL REPRESENTATION

The demand for communal representation and separate electorates on the part of Muslims was the next natural step in their march towards exclusive communal progress. The Government, on its side, found a natural and welcome ally in Sir Syed and his school of Muslims, demands for special representation both in the Legislatures and the Services. The "political importance" of the Muslims also assumed the rank of a war-cry. Hindus all over India resented this, but none more vehemently than those of the U.P. and the Punjab. To those who want to trace the development and growth of this idea, the early volumes of the "Comrade" will furnish an interesting and illuminating study.

PAN-ISLAMISM

What was at the root of the claim about the political importance of the Muslims? The fact that they had been the rulers of India for centuries and also the fact that there still existed several independent Muslim States outside India. It is a well-known historical fact that Sir Syed himself was opposed to the Muslims of India sending any help to the Turks in the war with

Russia in 1877-78. I don't know if he was a Pan-Islamist. I am inclined to think that he was not. In any case, he was strongly opposed to the idea of the Indian Muslims meddling with the affairs of outside Muslim States. Indian Muslims, however, soon found out that Great Britain, like other European powers, was only as much interested in the independent Muslim states as it suited its Imperial interests. Suspicions began to be entertained that perhaps the attitude of the Indian Government towards Indian Muslims was only a neurotic to prevent them from taking any active interest in the affairs of Muslim States outside India. The alliance of the educated Muslims with the Government had its natural influence upon the masses. The classes and the masses were both permeated with the idea that the Government was their friend and anti-Hindu. There were European officials who rubbed it into their conscience as much as they could.

THE REACTION

But the reaction was bound to come. It came in two ways. Firstly, the Muslims began to raise their demands so high that even the Government found it impossible to meet them. Secondly, the gradual fall and dismemberment of the Muslim empires of Turkey and Egypt opened the eyes of Indian Muslims as to the value of British friendship. First came the occupation of Egypt; then came the rapid contraction of the Turkish Empire by the loss of its Christian provinces; next came the Italian war on Tripoli which was a purely Muslim country. Finally came the war with Turkey, with the dismemberment of the Turkish Empire by the treaty of Severes. This brought about a complete change in the political views of some of the Muslim leaders and gave birth to the Non-co-operation idea. It is not implied that

during allthis time there were no Muslim leaders who stood for alliance with Hindus for the purposes of political freedom as against alliance with Government and consequent political dependence. It must be said to the honour of Messrs. Badruddin Tyebji, Rahmatulla Sahni and Rasul, among the dead, and Maulana Abdul Kalam Azad, Messrs M.A.Jinnah, Hassan Imam and Mazhar-ul-Haq, among the living, that they alwasy stood for political unity between Hindus and Muslims.

LORD MORLEY

It was left for Lord Morley, the great Liberal thinker and statesman of Great Britain, to finally sanction, at the intance of the Indian bureaucracy, the canker of communal representation with separate electorate ~~also~~ into the Indian system; and this arrangement was subsequently sanctified by the pact of Lucknow arrived at by the Liberal leaders of both the communities.

This, in brief, is the history of communal representation. I have said nothing as to its necessity or otherwise, and befor I do that I want to comment briefly on the policy of the trace the growth of Pan-Islamism in India.

<u>The Tribune dated December 19, 1924, page 2/7, col.1/1.</u>

HINDU-MUSLIM PROBLEM - VII.

(By Lala Lajpat Rai)

(A) SIR SYED'S POLICY

Sir Syed Ahmed Khan was unquestionably a great man. He was highminded, unselfish and devoted to the interests of his community. He lived and died for it. His political creed consisted of three articles.

(a) Non-interference in the affairs of outside Muslim States.

(b) Concentration of all efforts on the betterment of the Muslims' condition at home, and

(c) Alliance with the British Government. In his eyes, these three articles were more or less interdependent.

As long as he lived he commanded the almost undivided allegiance of his educated fellow religionists though even then a few of the latter interested themselves in the Indian National Congress. After his death, there was a change. A large number of his former followers and pupils abandoned all the three articles of his faith. But an equally large number continued to believe in and follow his policy. The masses went with the former Thus a situation arose which may be summed up in two phrases; Pan-Islamism, and hostility to the British.

Under the influence of the Non-co-operation movement a sufficiently large number of Muslims joined the Indian National Conress, but in very many cases their nationalism seemed to be only secondary to their Pan-Islamism. Now it is obvious that the Indian Muslims must sympathise with their fellow-Muslims outside. The misfortunes of the latter must draw their sympathy; their glories must fill them with elation. This is only natural. Hindus can not realize this fully as there are virtually no Hindus outside India. While admitting this, I have no doubt in my own mind that Sir Syed's policy of concentration at home was the better of the two. The advocates of Pan-Islamism have never realized that nationalism must precede inter-nationalism whether political or religious. People who are not free at home, cannot help others either to gain their freedom or to retain it. People who are poor, illiterate, destitute and dependent at home, can not very well give away wh t they have in order to help others. The sentiment has a veneer of nobility, but it is neither practical

politics nor sound economics, and in my opinion it is not good religion either. There are some people who will laugh at these ideas, but that doesn't affect this truth. The events of the last three years have in my judgment conclusively shown that at least in this respect, Sir Syed's policy was sounder than that of those who reversed it.

Note -- Compare Muslim contributions to the Khilafat and Smyrna Funds with those to the Tilak-Swarajya Fund, the Malabar Relief and the Muslim Education funds etc.,

The first article of an Indian's faith must be to love India above every other country on the face of the globe. Only then can he be a patriot. Divided allegiance and divided love can not produce either good nationalists and patriots or even good religionists.

(Page 7, col.3)

(B) THE CHANGE FROM NATIONALISM TO PAN ISLAMISM

There was a time when the ablest and perhaps the most popular of Muslim poets sang the two songs,one beginning with the line, Sare Jahan se achha Hindustan Hamara (of al the countries of the world, our Hindustan is the best) and the other a Mussaddas ending with the refrain: "The same is my country the same is my country". It will be interesting to insert here a few verses from those songs showing the depth of patriotism and the height of nationalism which inspired their composer and the broad spirit of tolerance that pervaded them. The first contained the following:-

(Translation) -- Religion does not teach mutual animosity. We are Indians; our country is Hindustan.

Greece, Egypt and Rome have all been effaced from the world, but our name and distinction is still living.

There is some reason why our life will not be extinct although changing time h s been our enemy for centuries.

This song is often sung as a substitute for "Bande Matram" and has been raised to the dignity of a national anthem.

Take the following from the other:-

(Translation) - "The land in which Chesti delivered his message of truth, the garden in which Nanak sang the song of theism; the land which Tatars adopted as their home; the land which made the people of Hedjas leave the desert of Arabia; the same land is my native land, the same is my native land."

(2)

(The land) which aroused thewonder of the Greeks. (The land) which taught Science and Art to the whole world etc.etc.

(3)

The place from where the world heard the song of theism; the place from where the Prophet of Arabia received cool breezes, etc.

In the foot-note it is said that the first line refers to the flute of Shri Krishna and the second is a hadis to the effect that the Prophet said; "he was receiving cool breezes from the direction of India."

(4)

(The land) in whose atmosphere life is life of Paradise.

(5)

(The land) which is Gautma's country, (and thus) is the holy land of the Japanese,(the land) which is a smaller Jerusalem for the lovers of Christ.

There is antoher song composed by the same poet under the name of (New Shivala) - the temple

dedicated to Shiva which is full of the noblest possible sentiments of Hindu-Muhammaden Unity. I used to often recite it in my exile in the United States of America and translated it into English for an English Magazine. My translation was versified by Dr. Anand Kumar Swami and published in one of the American Magazines.

Equally remarkable and pathetic is a poem called Sada-i-dard (a wail of pain) lamenting Hindu-Muslim disunity. Following the same line and even more pathetic and impressive is a poem called Taswir-i-Dard (a picture of pain), I can not resist the temptation of giving a few verses here:

(Tr.) Oh, Hindustan, the spectacle makes me weep. Thy story is the most instructive of all stories.

The next verses bewail the fact that the writer has been assigned by fate (the duty of) being a reader of mourning literature (Nauha Khwan).on India.

(Tr.) Oh! plucker of flowers (evidently referring to the foreign rulers). You have not left a trace of the leaves even. By your good luck, the gardens are engaged in warring with each other. (This evidently refers to Hindu-Muslim quarrels). Then come the following verses:-

(Tr.) Oh! fool, think of your country; misfortune is about to overtake it, as there are consultations in heavens to ruin it. See what is happening and what is about to happen. What is the use of repeating old stories?

Oh! Indians, if you wont awaken in time, you will be effaced, and there will be no mention of you even in stories.

In a collection of Dr. Iqbal's Urdu poetry just published at Lahore, his poems are divided into three periods. The first ends with 1905. All the poems

breathing the love of country and Hindu-Muhammaden unity belongs to this period. The second ends with 1908. The third begins with 1908. It is remarkable that all the poems cited by me belong to the 1st period. The first and the second periods are comparatively free from sectarianism. The third period is full of sectarian religionism.

PAN-ISLAMIC POETRY

Compare these gems of Urdu literature and Indian Nationalism with later songs in the days of Pan Islamism which begin with the verse:-

(Tr) - China and Arabia is ours (and so) is India ours. We are Muslims, the whole world is our native land.

In a still later poem occurs the following:-

(Tr.) Our hen is free from the dust of native land;

Thour art the Joseph whom every Egypt is canaan.

In a poem on patriotism or a love of country the poet sings of its evils and hints that the Prophet cut the roots of the tree of patriotism. This he holds is a new fangled weapon of modern powers.

What a change! But even more remarkable are some of the folk songs composed during the best days of the Khilafat movement, which have been sung and are still being sung by the masses of Muslims in the Punjab.

Let the reader imagine what an attitude of mind must hav produced in the minds of the younger generation of Musalmans by writings and songs like these.

Dr. Muhammad Iqbal is no ordinary versifier. He is an accomplished scholar and a poet of the highest order who is master of several languages. His writings

and poems are to be found in every educated Muslim's home, nay, even in most cultured Hindu homes too. He has, by no means, been the solitary propounder of these views. I have selected him because, being an admirer of his, I have been a constant reader of his compositions.

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The Tribune dated December 11, 1924, page 2, col.1, page 7.

HINDU MUSLIM PROBELM - VIII

(c) HIJRAT AND ITS CONSEQUENCES

Add to this the Fatwa of Ulemas that India being a "Dar-ul-Harab" (a place of war) every good Muslim ought to leave it and migrate to a Muslim country. We know by this time how the Hijrat movement ended; how much money was wasted over it thereby. The best commentary on it was witnessed by me at Constantinople. On the 3rd or 4th day of my stay there, I met two young Indian Muslims walking in the street. They accosted me first. When I asked them how they fared in Constantinople, one of them burst out almost in tears and said that if he ever returned to India, he would give out a bit of his mind to tell his Muslim countrymen how mischievous was the teaching that India was "Dar-ul-Harab" (a place of war) and how false the idea that the whole world was the home of the Muslims. That boy was one of the Mahajarins of 1921. He had travelled all over Muslim Asia from Afghanistan through Turkistan to Russia and then back to Angora and Constantinople. His experience was so bitter and his condition was sopitiable that he denounced Pan-islamism in rather strong terms. That was what I learned from other Indian Muslims also, whom I met in Turkey and Egypt, and this is natural enough. A Bengali Muslim in Egypt denounced the Khilafat movement in such strong terms that I cannot reproduce his language. Blood is thicker than water, as they say. No

part of the Muslim world except Egypt is excessively rich and prosperous. Everywhere the Governments have to look after their people an the latter have to eke out their means of subsistence. How can they be expected to provide for foreigners even though the latter are Muslims? The Amir of Kabul was perfectly justified in askigg the Mahajrain to leave his country. Later on he was forced, perhaps, for diplomatic reasons, to ask some professedly anti-British Muslims to leave his territories. Similarly it is idle to expect the Turks to help the Indian Muslim Mahajrin when there is so much poverty in their own land.

(D) PAN-ISLAMISM IN TURKEY AND EGYPT

The fact is that my visit to Turkey, Asia Minor, Syria, Palestine and Egypt, has completely disillusioned me about Pan-Islamism. I found it nowhere. Every country is busy with its own home problems and they are sufficiently complicated and troublesome to keep them engaged all the time. Turkey is suffering from the after-effects of a devastating war. The war has denuded the country of a great number of its male working hands, and this is one of the reasons that have forced their hands to abolish the Purdah system and trust to their womenhood to produce food for them. The problem of expatriating Christians from Turkey and receiving the Muslims in exchange from Greece is a huge problem on their hands. The problem of safeguarding against internal enemies (Greeks, Armenians and Jews etc.) is sufficiently serious. Internal and external fears compel them to keep an efficient army equipped on ouptodate lines. All this means a great financial strain. Over and above this, they are not quite united among themselves. As in other countries so in Turkey, there are parties who think

differently in politics. The abolition of the Khilafat and the expulsion of the Khalifa and other members of the royal family was a desperate step which they had to take in the interests of the present constitution. They are making a most noble effort to consolidate their power, to reform their administration and to raise their country to a first class positionin the Councils of Europe.

(Page 7 col.4)

CONDITION OF TURKEY

Under the circumstances even those who do not see eye to eye with the Mustafa Kamal and his party in matters religious and political and who resented the abolition of the Khilafat, are opposed, out of patriotic motives, to the reopening of the question, at least for some time to come. From my study of the conditions in Turkey (short and cursory as it was) I could only conclude that from first to last the Turks were intense nationalists. At the present moment their only concern is their country which theywant to preserve, manage and rule in the interests of the Turks. The Turks seemed to me to be a noble people, clean in their appearance and clean in their dealings with others. Their dress and their manner ofliving is almost wholly European except that the men wear the fez. About their religion, indeed, I know nothing, but any one who has his eyes open, can read the writing on the wall. There does not appear to be much of religionism in Turkey. They have abolished purdah. I saw lady clerks working in the Post Office and other public offices without a veil. I saw thousands dressed in European dress with a Turkish over-mantle, going about in public streets, and walking in public gardens without any veil. To me their dress

seemed perfectly decent, which combined in a most appropriate manner the fashions of the East and West.

NO ORTHODOXY

The Turks have issued strict regulations which aim at restricting polygamy to a very large extent, if not abolishing it altogether. I saw most drastic regulations being enforced against the use of any but the Turkish language. There are also very strict rules, subject to exceptions, against enlisting non-Turks in the army. I observed nop rejudice against music, either vocal or instrumental. Even dancing is indulged in higher circles. I was sorry to see rather a general use of wine.

In short I saw nothing, either in Constantinople or in the other towns of Asia Minor which could show the Turks were in any sense of the term more religious than the rest of the natives of Europe. Everywhere I saw signs of social and national distinctions and preferments. My impressions were confirmed by the Indian Muslim residents of Constantinople who met me. I was agreeably surprised to find that in the Alazhor University the quarters reserved for the residence of Indian students were called Rawaq-i-Hanud (i.e. a Boarding House for Hindus.)

SYRIA AND PALESTINE

In Syria and Palestine also the problem which absorbs the Muslim community is how to regain or maintain their freedom. In Palestine the Muslims are in an overwhelming majority ov r the Jews. Christian Europe is creating a strong and well protected Ulster in Palestine, which leaves almost no hope of the Muslims ever regaining their lost position of supremacy. Everywhere one sees well-built and well-equipped colonies of Jews springing up with their own highly efficient educational and philanthrophic institutions and with their equally

efficient industrial concerns. They are fast buying lands of Muslims and Christians. Money is pouring in from America and Europe. The only "disconcerting" feature is that it is only the poorer class of the Jews and the oppressed members of the race that are emigrating to Palestine for permanent settlement. In Syria the Christians form a very important part of the population. In neither countries is there any communal rivalry or jealousy between the Muslims and the Christians.

I am afraid Indian Muslims are more Pan-Islami and exclusive than the Muslims of anyother country on the face of the globe, and that fact alone makes the creation of a united India more difficult than would otherwise be the case. I am inclined to think that in this respect, at least, Sir Syed's policy was sounder than that of the Khilafat. He did not accept the Sultan of Turkey as a Khalifa and he was opposed to the Muslims of India devoting much attention to the affairs of Turkey or other Muslim countries.

The Tribune dated December 12,1924, page 2,7,cols.1.7.

HINDU MUSLIM PROBELM - IX

(By Lala Lajpat Rai)

What I have said about Pan-Islamism and the excess of Communalism among the Mussalmans, shouldn't be understood to imply that the Hindus on their side have been quite inactive and innocent. One thing, of course, is patent. Hindus can not be anything but Indians. They have no other country and no other nation to look to. They cannot, therefore, be accused of any kind of Pan-Hinduism, in the sense in which that term is used in relation to Islam. Hinduism and Indianism are, in their case, synonymous terms.

HINDU REVIVALISTS' AGGRESSIVE ATTITUDE

But in their own way, Hindu revivalists have

left nothing undone to create a strictly exclusive and aggressive communal feeling. Early in the eighties of the last century some of the Hindu religious leaders came to the conclusion that Hinduism was doomed unless it adopted the aggressive features of Militant Islam and Militant Christianity. The Arya Samaj is a kind of Militant Hinduism. But the idea was by no means confined to the Arya Samaj. Swami Vivekanand and his gifted disciple Sister Nivedita, among others, were of the same mind. The articles which she wrote on aggressive Hinduism are the clearest evidence of that mentality.

FOUNDERS OF THE INDIAN NATIONAL CONGRESS

It must be remembered in this connection that western knowledge, western thought and western mentality took hold of the Hindu mind at a very early period of British rule. The Brahmo Samaj was the first product of it. In the early sixties the Brahmo Samaj was a non-Hindu body, and under its influence Hindu scholars, thinkers and students were becoming ~~samp~~ cosmopolitans. Some became Christians, others took to atheism and became completely westernised. Thus a wave of indifferentism about Hinduism spread over the country, The Arya Samaj movement and aggressive Hinduism was a reaction against that non-Hinduism and indifferentism. Most of the early Hindu leaders of the Indian National Congress were in this sense non-Hindus. What did Mr. S.N. Banerjea or Lal Mohan Ghosh or Ananda Mohan Bose care for Hinduism? Even Mahadeo Govind Ranade was but an indifferent Hindu. G.K. Gokhale was not a Hindu at all. I will not mention other names. Thus the political nationalist movement of India was brought into existence by high-minded Englishmen, enlightened and high-minded sons of Hindus)many of whom in their own mentality were either non-Hindus or but indifferent Hindus) and a few enligh-

enlightened and highminded Muslims. Born under these auspices, it was bound to be a movement of pure freedom. Pure freedom makes no distinction of race or religion. As a child of the joint deliberations of Dufferin and Hume, it was, however, more a "safety valve" than a movement of pure freedom. It was hardly three years old when its God-father, the Marques of Dufferin, changed his mind and decided to strangle it. The best way to strangle it, he thought, was to rob it of its national character and to raise the religious and denominational bogey. The latter proved to be a Himalayan glacier, under whose weight it was bound either to perish or to be cracked so badly as to remain mangled all its life.

Page 7, col.4.

SIR SYED'S OPPOSITION

That Himalayan glacier was the late Sir Syed's opposition to the Congress on denominational grounds. I do not mean to say that Sir Syed's fears about his community were absolutely baseless, but the cry which he raised was practically the death-knell of Indian nationalism at the time. Sir Syed's attitude towards the Indian National Congress was influenced by the following considerations:-

(a) That in India the Hindus were in a majority, and if a form of democratic Government was accepted as the political goal of India, the Muslims were bound to be in a minority.

(b) That the Hindus were both economically and educationally more advanced than the Muslims, and would monopolise much of Government influence for a long time to come.

(c) That a Hindu Raj might possibly mean the death of Islam in India, or at least a position of subservience for it.

I am inclined to think that he did not believe in the possibility of another Musalman domination in India either with or without the help of foreign Muslim States and he, therefore, favoured the idea of perpetual British rule in this country.

The founders of the Indian National Congress, on the other hand, were absolutely honest and sincere nationalists. They did not entertain any anti-Muslim intentions, but they knew that nationalism could take no notice of denominationism. Sir Syed's opposition, however forced them to take some notice of it. It was by no conspiracy against the Muslims that the Hindus of that period came to occupy a large number and proportion of higher Government offices than their Muslim fellow-countrymen, and were more prominent and influential in the public life of the country. They, therefore, refused to accept communal representation or the fixing of a proportion in services under the Government for each community. The struggle continued for a long time, until the Congress surrendered on the first point, though still refusing to recognise the second.

SUPREMACY OF RELIGION OVER STATE

From a purely communal point of view, Sir Syed was right. From a national point of view his demand was fatal. The history of the several European countries shows that they had all to face a similar situation some time or other in the process of national evolution. What helped them to become nations was a decisive refusal to give in to the claims of religion. As a fundamental principle of their polity, they recognized the supremacy of State over religion, and gradually removed all religious distinctions so far as they affected the constitution of the State including services under the State.

In India we have adopted a different, in fact the opposite, course. The acceptance of the priinciple of communal representation was a concession to religion and is the negation of nationalism. The supremacy of religion over State has thus been enthroned. Most Muslim leaders openly say that they are Muslims first and Indians afterwards, though in 1915 Mr. Mazhar-ul-Haq said from his place as President of the Muslim League that he was Indian from first to last. No one can be a true Nationalist who is not an Indian from first to last. He may be an Indian Hindu or an Indian Mussalman, but he must be an Indian all the time. A man who says he is prepared to sacrifice the freedom of India for the freedom of "Jazirat-ul-Arab" can not be an Indian Nationalist.

COMMUNAL PROBLEM IN THE PUNJAB

Leaders on both sides are emphatic that the present tension between the two communities is political and not religious. Muslims contend that the insufficiency and the unfairness of the Lucknow Pact are responsible fo it. Hindus maintain that communal representation itself is at the bottom of the present trouble. Both are right in their own way. Whether the Lucknow Pact is unjust or unfair, it is certainly responsible for the Muslim demand for its extension to local bodies, Government services and the Educational institutions. People outside the Punjab have no idea to what extent the principle of communal representation has been or is being pushed in the Punjab. Practically all social relations between Hindus and Muhammadans, and Sikhs and non Sikhs have ceased. All three communities have their separate clubs, separate organizations and separate colleges. Even in sporting clubs or social functions all three communities insist on communal representation.

In my judgment the trouble is both religious and political. I am certain that religion is being used for political purposes, but I am also certain that there is a certain amount of genuine religious element in it.

SIR M. HAILEY'S DESCRIPTION

The very day when I wrote the above, Sir M. Hailey, Governor of the Punjab, made a speech in the Punjab Legislative Council which contained the following observations which seem to me to be an absolutely correct description of the situation.

"We have, ... a problem far more difficult than those I have described, because it deals with elemen-ts less tangible and factors less susceptible of direct approach or control. We have to find some remedy for the toxin of intercommunal dissension which today is vitiating our public and perhaps our social life. Let me be somewhat more precise here and use such frankness as is possible in one whose heartfelt desire is to allay andnot to provoke discord. My reference is not mainly to communal rioting or open distrubance. There has been such in the past, but the province must take credit for the fact that it has of late escaped open violence which has been exhibited in the towns of some of our neigh-bouring provinces. Disastrous as open disturbance may be, sinister as are its effects in prolonging the alienation of rival communities, it is not the whole of the problem, perhaps not even its gravest feature. My reference is rather to the fact that in every sphere of life and acti-vity, in social matters, in almost every question of administration, in the management of local affairs, in the current discussion of questions of law and justice, the communal question intervenes."

Of course I do not admit, for a moment that

the Government and its officials have been or are so innocent in the matter as Sir M. Hailey would have us believe. In my humble judgment the communal situation in the Punjab, muchof it at least, is of the making of the Government. This, however, is a different matter.

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The Tribune dated December 13, 1924, page 2,7, col.1,3.

HINDU MUSLIM PROBLEM - X

(By Lala Lajpat Rai)

The aggressive Hinduism preached by the Arya Samaj was not political in its conception. That it has been strengthened by political considerations can not, however, be denied.

SHUDDHI

This is an appropriate place for examining the originand bearings of the Shuddhi movement of which we have heard so much of late. The movement is an old as the Arya Samaj or even the Sikh religion. The Arya Samaj claims that the religion preached by it is universalreligion, and aims at bringing the whole world under its banner. In this respect its claims are as ambitious and wide as those of Christainity and Islam. There was a time when the more orthodix section of the Arya Samaj used to proclaim from the housetops that they were non-Hindus; and that they were free to eat and drink and marry with non-Hindus; and that even Hindus should undergo a certain amount of Shuddhi before they could be admitted into the Arya Samaj.The other section which was believed to be more politically minded, was opposed to all these claims of the Mahatma party of which Swami Sharadhananad (then Lala Munshi Ram) was the head. Shuddhi with the latter was purely the ritual of conversion, i.e. admission into their Church. It had no political significance whatsoever. For a time,

Lala Munshi Ram's party maintained this attitude, and some of them attempted to put into practice what they believed in theory. It was then that the now famous Dharmpal was made a hero, Soon after, however, they found that by insisting on this idea and putting it into practice they were bound to lose the practical sympathy of the Hindu community. This they could not afford to do as it was the general Hindu community that greased the various mills they were running. So better counsels prevailed and they changed their attitude.

THE MALKANA QUESTION

I know it is a fact however (as I was an active member of the Arya Samaj then) that serious efforts were made even then to bring the Malkana and other Rajputs of the United Provinces and Rajputana into the fold of the Arya Samaj. Some were actually so brought at Aligarh and in the neighbouring districts. The Malkanas, however, did not want to be Aryas'; what they desired was to be re-admitted into their own caste; and brotherhood on equal terms. To this the orthodox Rajputs would not agree. So the matter remained in suspense for a number of years, until the orthodox Rajputs consented to take them in. What was at the back of the latter's mind in this change of attitude, is also clear. It was the communal demands of the Muslim community, the policy of Mian Fazli Hussain and the Multan riots which created the necessary atmosphere. The principle of Shuddhi has now been accepted by the Hindu Maha Sabha, and I am free to confess that the idea at the back of this decision is partly political, partly communal and partly humanitarian, the latter element being more in evidence in the Shuddhi of the untouchables.

(Page 7) continued from page 2 of the Tribune

A NEW CHAPTER

It was, it must be confessed, only natural that the Muslims should be exasperated at this change in the attitude of the orthodix Hindus, because the change opens out an entirely new chapter in Indian history. The question raised by the movement is a fundamental one and although one can understand and appreciate the Muslim point of view, one can see no way of stopping the movement as long as non-Hindu agencies are free to carry on their prosletysing work. The movement has come to stay and this fact should be philosophically accepted. That it has direct political bearings can not be denied and the only way to minimise its importance is to do away with communal representation. For the present the decisions arrived at by the Delhi Unity Conference may be accepted as the final word in the matter.

THE SANGATHAN AND TANZIM

At this stage we might discuss the Sangathan and the Tanzim movement too. The Sanghathan movement also (or to call it by its proper name, the Hindu Sabha movement) represents an old idea. The object was present to the mind of the founder of the Arya Samaj. But the Samaj signally failed to realise it as it went on developing its sectarian proclivities. I remember that when I was a student of the Lahore Government College in the early eighties, a Hindu Sabha was formed at the house of Raja Harbans Singh of Shekhupura in Lahore. That Sabha died in its infancy. Then the movement was revived towards the end of the last century at the house of the late R. B. Lal Chand put life into it. But somehow or other, the movement never took root. It has done no good to the Hindu community as a whole. It has

benefited individual members, but it has done no good to the Hindu community as a whole. It has two formidable rivals; on the political side the Indian National Congress, on the socioreligious side, the Arya Samaj fixed between these two millstones, it was never able to lift its head sufficiently high to be a success. The present movement is a reaction of the Hindu-Muslim situation. There is nothing in its aims and objects or its constitution that need make it anti-Muslim but to be frank, the fact that it is anti-Muslim is the only thing that keeps it alive. The Khilafat Committees whichwere originally established to support the Khilafat agitation have regularly and systematically carried on a religious propaganda to which is directly traceable a part, at least, of the present bitterness between Hindus and Muslims. At Coconada, it was given out that the Khilafat Committee would be used to organise the Indian Muslims. Tanzim is its another name. It is obviously anti-Hindu.

BOTH WELCOME

Personally, I would welcome both the moveme i.e. the Sangathan and the Tanzim if they could unite all the different sections of the Hindus into one org nizationin one case; and all the different sections (the Muslim, in the other, for then it would be a co ratively easy thing for the two main organizations 1 come to terms with each other. But the task is hope In my judgment the only purpose which the two moven are likely to serve is to increase the already exi estrangement between the two communities. The Musl movement is ~~movements~~ also intended to keep the Islamic movement going. One can not help noticing noticing with regret, that while the Muslims do their purposes for the relief of Indian suffere famine, floods, earthquakes, etc. and that whil

littel Muslim money is spent to improve the educational and economic condition of Hndian Muslims, thousands and lakhs are sent abroad under one name or other. The phenomenon is confined to India. One finds no evidence of it inother Muslim nations like Egypt, Turkey, Morrocco, Sudan, Syria, etc. etc.

As far as internal organization is concerned, both movements are bound to fail. The canker of sectarianism is as fatal in one case as in the other.

In the case of Sanghathan, the Area Samaj and the Sanatan Dharma Sabha will not allow it to flourish and succeed. They do not seem prepared to transfer any of their functions or influence to the Hindu Sabha. In the case of Tanzim the different Muslim sects will not unite to let it be a success. Both the movements will, however, be much advertised though to keep aliv anti-Muslim feeling in one case and anti-Hindu feeling in the other.

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The Tribune dated December 14, 1924, page 2, col.1.p.7

HINDU MUSLIM PROBLEM XI

(By L. Lajpat Rai)

SUGGESTED REMEDIES

I have so far touched the past history c Hindu-Muslim relations and given a picture of how ers stand at present. I will now offer a few obse vations on how the present situation can be impr in the political field.

It is suggested on behalf of Muslim leaders that -

(a) Communal representation with separate electorates in all the legislatures, local bodies, Universities and other official or semi-official bodies should be provided. Mr. A.M.Jinnah is the latest

recruit to this party, and I really cannot understand how he calls himself a Nationalist still. The euphemism that this is only tentative and that a time will come when the Muslims will be ready to give up communal representation, should deceive no one. Once you accept communal representation with separate electorates, there is no chance of its being ever abolished, without a Civil War. A civil war, will again, actually mean the supremacy of one of the communities over the other. This lends weight to the fear entertained by some Hindus that some at least, of the Muslim leaders are counting on the help of foreign Muslim States to establish Muslim rule throughout Hindustan. Whether this fear is not well-founded, it is only natural that those who entertain it should oppose communal representation with all the strength they can command. Their opposition, however, can not be effective as the Government seems determined to adopt their course. Therein they see the best guarantee of the permanence of the present Conditions. Communal representation with separate electorate is the most effective reply to the demand for Swaraj, and the surest way of India never getting it. I have never been able to appreciate the mentality of those who constantly talkof turning out the British and at the same time insist on communal representation with separate electorates. I really don't understand what they mean. The second is the surest way of the first being never realized. The experience of the last three years is the most conclusive proof of it. The Muslim demand strengthens the position of anti-Swarajists both among the Hindus and the Muslims, and supplies an effective reply to the contention that India is ripe for Swaraj. Communal representation by itself is a sufficiently bad principle, destructive of, and antagonistic to, the idea of a

common nationhood, but separate electorates make this vicious principle immeasurably worse. If our Muslim countrymen are really earnest in their belief in nationalism and in their demand for Swaraj, the least they can do is not to insist on separate electorates.

(b) Representation in provincial legislatures and local bodies should be on the basis of population in provinces and places where the Mussalmans are in a majority. In other provinces and places they should have "effective" minority representation.

(c) Posts and offices under Government should also be distributed on the principle stated in clause (b)

(d) In the provinces where the Muslims are in a minority as well as on the All India Departments the Muslims ought to have 25 per cent, to 33 per cent of the total posts.

We will take these clauses one by one, in their serial order.

COMMUNAL REPRESENTATION

The principle of clause (a) is both theoretically and practically a negation of the united nationhood. It provides for a complete division of India, as it is, into two sections a Muslim India and a non-Muslim India. I say deliberately nonpMuslim India, because all tha the Muslims are anxious for, is a guarantee of their own rights. All the other communities they lump into one as non-Muslims. Let those who demand communal representation with separate electorates in all the representative institutions of the land, honestly confess that they do not believe in nationalism or in a united India. The two things are absolutely irreconciliable.

THE POPULATION BASIS

(B) The demand for proportionate representation

in the Legislatures is perfectly reasonable provided the principle is accepted through and through. The plea for "effective" minority representation is, however, untenable. Mr. Jinnah has placed a special interpretation of his own on this term. Let us examine it in the light of facts. In Bengal and the Punjab, the Muslims are in a majority, and if this principle is accepted, they will rule over these Provinces. The Hindus in these provinces, according to the interpretation of Mr. Jinnah, are an effective minority already; so they are not entitled to any special representation. But what about the Sikhs? Are they or are not entitled to special representation? And from whose share are they to get it? From the share of the Hindus or that of the Muslms? Under no principle can they get it from the share of the Hindus. They must get it, if they must, from the Muslims' share on the same principle on which the Muslims themselves claim it in the U.P., or the other Provinces where they are in a minority. This will interfere with the absolute majority which Muslims demand over the Hindus and Sikhs combined. Some Musalmans realize this and contend that they will be content with a bare majority of 1 or 2. But it is obvious that they can not have every thing in their own way. Assuming, however, that they are allowed their own way, do they imagine that they will be able to make their rule effective in the Punjab? The Punjab occupies a unique position among the Provinces of India. It is the home of a community who were the rulers of the Province when the British took possession of it. That community is virile, strong and united. Will this community readily consent to occupy the entirely subservient position which this arrangement involves? If nothing else helps them they

oppose Swaraj as they did, not long ago. Under circumstances I would suggest that a remedy should be sought by which the Muslims might get a decisive majority without trampling on the sensitiveness of the Hindus and the Sikhs. My suggestion is that the Punjab should be partitioned into two provinces, the Western Punjab with a large Muslim majority, to be a Muslim Punjab, with a large Hindu-Sikh majority, to be a non-Muslim governed Province. I do not discuss Bengal. To me it is unimaginable that the rich and highly progressive and alive Hindus of Bengal will ever work out the Pact agreed to by Mr. Das. I will make the same suggestion in their case, but if Bengal is prepared to accept Mr. Das's Pact, I have nothing to say. It is its own look-out.

M. HASRAT MOHANI'S PROPOSAL

Maulana Hasrat Mohani has recently said that the Muslims will never agree to India's having Dominion status under the British. What they aim at are separate Muslim States in India, united with Hindu States under a National Federal Government. He is also in favour of smaller States containing compact Hindu and Muslim populations. If communal representation with separate electorates is to be the rule, then Maulana Hasrat's scheme as to smaller provinces seems to be the only workable proposition. Under my scheme the Muslims will have four Muslim States; (1) The Pathan Province or the North-Western Frontier, (2) Western Punjab, (3) Sindh, and (4) Eastern Bengal. If there are compact Muslim communities in any other part of India, sufficiently large to form a Province, they should be similarly constituted. But it should be distinctly understood that this is not a united India. It means a clear partition of India into a Muslim India and a non-Muslim India.

THE SERVICES

(c) From a National point of view, I strongly object to any communal distinction being adopted for Government service or in the Universities. Yet it can not be denied that Muslim dissatisfaction at the present condition of things is well-founded and genuine. Hindus must make up their mind to concede to the Muslims their fair share of the loaves and fishes obtainable from Government. They must put themselves into the position of the Musims and see the things from their point of view. Mian Fazl Hussain embodies in his person a real grievance. Only he has been hopelessly wrong in his method of removing this grievance. He ought to have appreciated the Hindu point of view and proceeded in a way to make the seemingly bitter pill easily swallowable by the Hindus. The thing ought to have been done gradually. Mian Fazal Hussian's rule in the Punjab and that of Chaudhri Shahabuddin in Lahore have given the Hindus a sample of what they are likely to have under Muslim rule. To provide them with this sample was perhaps a moving spring of Sir E. Maclagan and Sir John Maynard's policy during the last five years. They have gained their object. But is that a fact of which Mian Fazl Hussain, as an Indian patriot can be proud? If I had been in Mian Fazl Hussain's position, I would have tried to gain the same object in a different way and only resorted to open attacks in the last resort. What the Muslims of the Punjab (I say Muslim landlords, Muslim lawyers and Muslim graduates) stand in the greatest need of, is educational and economic openings. There are Muslim districts where illiteracy is more widespread than anywhere else in the Province. There are millions of Muslims who are exclusively at the mercy of their Muslim

and Hindu landlords. What have the Muslim leaders done to improve their educational and economic position? Providing posts under the Government for a few educated Muslims is no remedy for the present condition. Safeguarding the interests of the few and neglecting the interests of the many is hardly a laudable thing, but that is exactly what Mian Fazl Hussain has achieved and at such tremendous cost! The Muslims all over the world have yet to learn that there are other ways of making money and thriving economically than throu h and by Muslim rule. Those who ar doing nothing to place modern progressive ideals before the Muslims and simply emphasize ingenious dogmas, hairspliting doctrines and reliance on Government, can hardly be called good friends of the Muslims. If the Muslims of India were to link their fate indissolubly with that of the Hindus, it would be the religious duty of the Hindus to help them towards progress in all spheres of life, but if the present communal ideals are to prevail, then they can scarcely complain of Hindu apathy towards their alleged backwardness. The present communal struggle with the atmosphere of violence and coercion that has been created throughout Upper India, can only produce a reaction in the minds of the Hindus.

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The Tribune dated December 16,1924, page 2,7,col.1/2-3.

HINDU MUSLIM PROBLEM -- XII

MUSLIMS AND PUBLIC SERVICES

In the last article I observed that Mian Fazl-i-Husain embodied, in his person, a real grievance. But a grievance against whom? Certainly not against the Hindu community. If the Hindus occupy a larger number of posts under the Government than they would be entitled to on a purely numerical basis, they are not to be blamed

for it. The Muslim community ought to recognise that the fault is principally their own. They did not take sufficient advantage of the educational facilities provided by the Government in the early days of the British rule; and it is that fact which is responsible for the present condition of things. For the last 50 years the Government have been giving them special facilities for making up for lost time, with the gratifying result that they are now in a position to hold their own against every other community. They are perfectly justified in claiming that in future they should receive their due share of Government posts. But are they justified in holding that until their proper proportion has been secured to them no one from the other community should be employed? The contention is absurd on the face of it. The claim that the number of Government posts allotted to each community should be in proportion to its strength in the population, is equally absurd. How are the figures to be made up? Is the proportion to be fixed according to the number of posts or according to the amount of salaries? Are promotions, sub protem appointments and retirements also to be regulated by the same standard? If so, why not say that all the Departments of the Government should be divided into "Muslim" and "Non-Muslim" sections, entirely separate and independent of one another? Even these would then have to be sub-divided into "Urban" and "Rural", and agricultural and non-agricultural. The whole thing is so ridiculous that one wonders how such a claim could be seriously put forward by men of intelligence and common-sense.

Again, are the Muslims quite sure that taking all-India figures they will gain much by these principles being enforced? On what principle will the Ministerships be divided? Is it not within the Provinces

in some Departments, they have got a larger number of posts than the ratio of population would justify?

PUBLIC SERVICES COMMISSION

I would beg of my countrymen to consider the matter in the light of practical difficulties, and then suggest a scheme by which their reasonable demands may be satisfied. I am free to confess that in the present state of communal feeling no Department should be monopolised by any one community or class. All reasonable safeguards against this contingency should be provided. Precautions must also be taken against communal intrigues or machinations. I think the appointment of a properly representative Public Services Commission will be a sufficient guarantee that no community shall, in future, be improperly deprived of its due share of Government posts. I can think of no other solution which would meet the needs of the situation. When, however, Swarajya is attained the solution will probably be simple. The Provincial Governments will have full powers to appoint their servants, and the Provinces having Muslim majorities will, if the present state of feelings continue, automatically have a majority of Muslim Government servants. In the All-India Services, a Services Commission will continue to make appointments.

(Page 7, col.2.3.)

APPEAL TO HINDUS

In the meantime, may I make a respectful appeal to the Hindus not to make much fuss about Government appointment? No community can economically prosper which relied too much on government patronage. What percentage of the population earn their living that way? It is true that Government servants influence communal life otherwise than through their salaries. The amount of

such influence can easily be exaggerated. As long as the present conditions last, I would leave the Government free to distribute the loaves and fishes at their disposal as they choose. The cream is, in any case, reserved for Europeans; then come Anglo-Indians; Indians come last of all. To me this fight over crumbs seems to be the most insensible thing for any patriotic person to indulge in. Under Swarajya, the Government of every Province will determine the complexion and the character of its administrative agency. It is perfectly futile to enter into any pact about this matter now or to quarrel over it.

LOCAL BODIES

From Government Services we descend to Local bodies. I think the constitution of Local bodies must be settled on lines different from those of the Legislatures. The population rule will not be sound in their case. The Local bodies do not legislate. They only manage local affairs. Local affairs are local, after all, and must be managed according to the special circumstances of each locality. But, if the Muslims insist on the population basis, I will let them have it that way. While they will be the gainers in some Provinces, they will be the losers in others.

THE UNIVERSITIES

As for Universities and other educational institutions, they are the last places where any communal distinction should be allowed. That will be poisoning the whole intellectual life of the nation. I can understand and appreciate special facilities being asked for classes considered backward. Give them special scholarships, open educational centres in areas largely occupied by such classes; even assign larger or special grants

from public revenues for their benefit, without dislocating or injuring existing institutions. In this connection I will say at once that I did not like or approve of the opposition offered by some Hindu members of the Punjab Legislative Council to the opening of Intermediate Colleges ~~fxxthe~~ Campbellpur, Lyallpur and Gujrat. If they objected to more money being spent on Arts Colleges, the best thing for them was to suggest the transfer of one or two colleges from the East to the West. I am afraid an analysis of the conduct of some Hindu members of the Punjab Legislative Council both in the last council and in the present one, will not convince any fair-minded person that the whole blame for the present communal tension in the Punjab can be laid at the door of Mian Fazal-i-Hussain. The responsibility for much of what the Mian has done or is doing, rests wit the bureaucratic Government. Perhaps he has been its ready and willing tool, as his own views coincided with that of the Government. Hindu critics should have seen into the game and should not have allowed themselves to be made the unconscious instruments of the bureaucracy in creating more bad blood between the communities. In any case, the future generation will not acquit them of all share in helping however unconsciously to bring about the crisis through which we are ~~ahankxthe~~ passing. In my judgment the ~~#####~~ Non-Co-operation movement is also partly responsible for it. Personally I do not care at all about posts or about admissions into the Goverment Arts Colleges. The case is, however, different with the professional colleges. In their case the allocation of numbers to different communities regardless of merit would lower the standard of education and the subsequent efficiency of the successful units. These are, however, minor matters to which undue importance should not be attached.

SUGGESTIONS SUMMED UP

Now to summarise the suggestions, I have made:

(1) Free your minds from the pernicious doctrine of absolute rights.

(2) purge your politics of "religion", (dogmatic religion),

(3) Rationalise religion as much as possible, and lay emphasisi only on ~~xxxxx~~ essentials.

(4) Remove social barriers which separate and estrange one community from another.

(5) Love India above any other country in the world, and be Indians first and last.

(6) Concentrate all efforts on improving conditions at home. That does not debar you from sympathising with your fellow-religionists abroad and helping them occasionally provided that your duty to your own countrymen permits of it. In this respect follow Turkey and Egypt.

(7) Don't fret at Shuddi. It has come to stay.

(8) You can try <u>Sangathan</u> and <u>Tanzim</u>, if you can purge them of Anti-Muslim and Anti-Hindu feelings which, in my opinion, is very difficult.

(9) Have proportional representationin Legislatures if you may, but do not insist on separate electorates.

(10) Divide the Punjabinto two Provinces to make majority rule effective.

(11) Don't insist on population being the rule of representation in local bodies. But if you must, you may,. But here, again, do not insist on separate electorates.

(12) Have Public Services Commissions to regulate the filling of Government posts on certain

general broad principles.

(13) No communal representation in Universities and educational istitutions. But special facilities for backward classes may be provided with special grants from public revenues for their benefit.

The Tribune dated December 17, 1924, page 2/7, col. 1/2-3.

HINDU MUSLIM PROBLEM - XIII

(By Lala Lajpat Rai)

SAD STATE OF AFFAIRS

No Indian, who loves his country, can look upon the prevailing state of things except with the most excrutiating pain and anguish. There are men inthe publiclife of the country, who have given their all in the hopothat before they die they may see the Goddess of liberty ruling over their beloved native land. They have put up with all kinds of humiliations sufferings and losses, and sacrificed every comfort and convenience, and even neglected their children for the sake of this, the one single object of their life. Absorbed in this their one passion they have treated with supreme contempt all kinds of calcumnies, libels and slanders, that have been heaped on their devoted heads by the foreign rulers of the land, and also by some among their own countrymen. They have seen their juniors rise over their heads to the highest offices under the State and to the most alluring positions in life. They have suffered insults and rebukes at the hands of men who were not even worthy of unloosening the strings of their shoes. They have been followed like criminals, imprisoned and banished like common felons, but have never lost hope

And after all this, they are told most seriously and solemly, both by Hindus and Muslmans, that

Hindu-Muslim unityis impossible, which means that Swaraj is impossible, or in other words, that they have been pursuing a shadow, a phantom, and living in a fool's paradise and wasting their lives!

UNITY AND SWARAJ

Oh! how crushingly painful it is. Yet in the light of what is happening, how plausible and apparently unanswerable! Amongst those who hold that unity is impossible there are men of light and leading, men of learning and scholarship, men of influence and position even men who have a record of great service and sacrifice in fields other than political. On the other hand there are men who assure us that this is a passing phase that Hindus and Muslmans can be made to and will eventually forget what has happened at Multan, Saharanpur, Delhi, Allahabad, Luckow, Shahjahanpur, Lahore, Amritsar Amethi, Sambhal, Gulbarga and Kohat, that they will not only shake hands but embrace each other in love and fraternity as soon as the Muslim claims in the political field are admitted and accepted. There are still others who maintain that peace and good-will will reign in India as soon as Englishmen will have left us, and that therefore, all that is wanted at present is a union which will result in the expulsion of the foreigner. They do not tell us, however, how, in face of the prevailing distrust, this union is to be brought about, how the foreigner is to be expelled and lastly how the expulsion of the foreigner evenif it was practicable, would, by itself, solve the problem of Hindu-Muslim differences. Is it the foreigner that loots and desecrates temples and mosques? Is it he that kills people and burns property Is it his hand that strikes children and women or dishonours the latter? No, they say, the hands are those of the Indians, but the brains are of foreigners.

The Tribune dated Dec.17,1924, page 7,col.3,4.

HINDU MUSLIM PROBLEM XIII

HOW UNITY IS TO BE ACHIEVED

Assuming that to be so, how are we going to put these brains out of operation? The reply is, by conceding Muslim demands in almost every respect. Mahatma Ji himself said that the average Mussalman was a bully and average Hindu a cowardice and also that cowardice was worse than death, and yet the remedy he suggested was that Hindus must concede to the Mussalmans and other minorities all that they demanded in the political field. Applying that rule to the Punjab, the result will be Muslims 55, Sikhs 33, and non-Muslims and non-Sikhs 12. Is that the remedy? No, say the Muslims, we do not want concessions; we want our rights, and the rights, as they view them, are what have been stated above. Some of their spokesmen add: "If you don't do that now, we shall declare Jehad against you, when you have got it." 'Nationalist' Muslim leaders, men who advocate communal representation in all institutions in the land and a fixed proportion of Government services, say "Oh! Don't listen to Ziauddins and Fazl Hussains, they represent no-body. They are, in alliance with the foreigner." They forget, however that the demands put forward by themselves are exactly the demands of Ziauddins and Fasl Hussains, the difference being no greater than that between tweedledum and tweedledee. The only difference is that one is called A.M. Jinnah, Esquire, and the other Dr. Ziauddin. These friends of course forget that there are as many Ziauddins and Fazl Hussins among the Hindus as among the Musalmans, and if the Hindu Nationalists, had listened to them, there would have beenno movement for political freedom. And without that movement there would have been no Shafis, Sarmas

and Saprus in the Government of India; nor would there have been Fazl Hussains and Mahmudabads in the Provincial Government.

TALK OF JEHAD

At least this much credit must be given to the Hindu Nationalists that their efforts have been principally instrumental in bringing the country nearer Swarajya than it would possibly have been otherwise. The Muslim educated community, with a few honourable exceptions, had in the past and until only a short while ago, consistently opposed these efforts. The Hindus do not want any special favours. All they ask for is justice and fair play. If the present situation is in any way unfavourable to the Muslim community, they will be only too willing to agree to any changes which the Muslims desire, subject only to one condition. They will not willingly and voluntarily be parties to any compromise or arrangement which will make real and lasting unity impossible. For God's sake, don't threaten us with Jehad. We have seen many "Jehads"! For the last twelve hundred years we have heard that cry every day of our national existence. Yet, Jehads have not succeeded in killing us, and God willing, no threat of Jehad will influence us by one hair's breadth in our determination to continue to live. We are prepared to subordinate our communal life to national life. For united national existence, we would do anything, but we shall not submit to threats or to coercion. It is true that Muslim distrust of Hindus can successfully block the avenues of Swarajya, but brother Muslims! don't forget that active Hindu hostility may also be productive of some harm to the Islamic world. Away, then, with these threats and distrust. Let us live and struggle for freedom as brothers

whose interests are one and indivisible. Let us live and die for each other, so that India may live and prosper as a Nation. India is neither Hindu nor Muslim. It is not even both. It is one, it is India.

TO THE HINDUS

To the Hindus, I will say, "If there are any among you who still dream of a Hindu Raj in this country; who think they can crush the Mussalmans and be the supreme power in this land, tell them that they are fools, or tobe more accurate, that they are insane, and that their insanity will ruin their Hinduism along with their country. For God's sake don't listento them and don't be guilty of patricide. You have no one outside India to help you. You are like a lonely waif in the world and your position is extremely delicate. Be sensible and show your readiness to listen to the dictates of justice, fairplay and patriotism. Be even ready to make sacrifice if such sacrifice does not stultify you or nullify your desire for nationhood. Give up your pride and listen to reason and commonsense. That is the only way to salvation."

THE ACTUALITIES

To leaders like Mahatma Gandhi I would say in all humility: "Sirs, do not put the cart before the horse. Do not assume the existence of condition which do not exist. Listen to the voice of experience and caution. It is better to proceed slowly than to run away with assumptions and presumptions which would not only do no good but might land your country into pits. Do not try to change human nature simply by resolutions and exhortations. Give it time." I am convinced that if in 1920 and 1921, Mahatma Gandhi had listened to the voice of th

those who had greater experience of the publiclife of the country, the reaction of 1923 and 1924 would not have been so terrible. The assumptionthat 7 crores of Muslims had accepted non-co-operation, was absolutely unwarranted. It was too much to expect educated Muslims to give up opportunities of preferment and promotion which which they were just beginning to get, the Hindus being already much in advance. This was a demand which was bond to and did eventually strain their loyalty to the leaders. I don't blame them for "not listening to the latter". Let us restart our work with greater regard to the actualities of life and the possibilities of human nature, and we may yet live to see our efforts proving fruitful. Amen!

I have not said all that I wanted to say. I have deliberately kept back some important and unsavoury facts that recently came to my knowledge, in the hope that there will be no need to give publicity to them.

The Tribune dated December 1911924, page 4, col.1.

THE CENTRAL SIKH LEAGUE

RESOLUTION ON CURRENT AFFAIRS

(From the Secretary)

The General Committee of the Central Sikh League met on the 15th instant inthe offices of the League, Hall Bazar, Amritsar, under the presidency of Sardar Mangal Singh and passed amongst others the following resolutions:-

(1) The General Committee of the Central Sikh League, while firmly of opinion that the anarchical organisations would not secure Swaraj, for India,

strongly condemns the arbitrary action of the Government of India and Government of Bengal in promulgating and recommending a lawless ordinance without consultation with the Legislative Assembly and applying an obsolete regulation thus endangering the liberties of millions of peaceful and innocent inhabitants of Bengal.

The League is further of opinion that, in view of the past experance and in view of the fact that many prominent Swarajists have been arrested under these measures, the blow is really aimed at the Swarajists in Bengal who were becoming rather inconvenient for the Government of Lord Lytton.

(2) The Central Sikh League deeply feels for the families of the returned emigrants who were imprisoned and hanged during Sir Michael O'Dwyer's regime and calls upon the people to send donations for the for the Prisoners Relief Fund organised by the League. It was also decided that a deputation consisting of S. Amar Singh Jhabal, sonof Harchand Singh, Rais Lyallpur S. Thakar Singh Domeli and S. Wadhava Singh should go out to collect subscriptions for the Prisoners' Family Relief Fund.

The Tribune dated January 6, 1924, page 1, cols.1-2.

THE AKALI LEADERS' TRIAL

Lahore, Jan. 6 - Not only the weight of public opinion but also the force of argument was on the side of the opposition in the debate concerning the Akali leaders' trial that took place at the first meeting of the new Punjab Legislative Council. The Government had already obtained the sum of twenty-five thousand rupees from the Council in the month of October for the conduct of the Akali trial. It now wanted another lakh of rupees for the same purpose. And yet the authorities were fully aware of the extreme unpopularity of the policy that had led to this trial both in the Council and outside it; and Sir John Maynard in order to make a show of reasonableness and Government's love of economy expressed its readiness to abate the demand by half and actually did so. The opposition, however, could not be misled by this astute move on the part of the Finance Member, and more than one member asked the Government whether it was a real reduction in expenditure or whether it was a mere blind and the Government proposed to come forward at the next session of the Council with a fresh demand. As regards that straightforward question the Government maintained a discreet and convenient silence.

Nor had the Government any explanation to give as to why they attached such extraordinary importance to the trial, and why it was considered imperative to appoint a special counsel on an exorbitant fee for the prosecution of the Akali leaders. The argument that this was necessitated by the defence employing able lawyers was unconvincing. In the first place, this argument ignored actual facts. It was long after the

the Government had retained a special counsel for the case, that the accused engaged their lawyers; and the Government had no means to knowing beforehand the identity of the laywers whom the latter would employ for their defence. As Sir John Maynard himself stated, the Government had entrusted the case to their Counsel at least five weeks before the actual trial commenced or the complaint was filed in Court. With what consistency could he then urge that it was the accused's choice of their Counsel that determined the Government's choice? Is not the presumption far more logical and consistent with commonsense that it was the accused persons who were to some extent influenced by the action of the Government in choosing their Counsel?

Even supposing for the sake of argument that the facts were not what they are, the Government had no justification to make an exception of the case and place an extra burden on the finances of the province which were already in a deplorable state. The lawyers engaged in the defence of the Akali leaders are every day appearing in the courts of the Province in ordinary criminal trials, and the prosecution in those cases is always entrusted to the regular members of the law department. Where was the necessity of Government treating this trial as one of such exceptional importance as to require the services of a special counsel? One can understand a person accused of a criminal offence employing the best available counsel whose charges he can conveniently meet, and, ordinarily, the weaker a case the abler is the counsel whose services are sought. The same considerations, however, do not and cannot apply to Government. All criminal cases ought to have the same importance to Government, regardless of the

individuality of the accused, unless, of course, there is a particular reason for Government to desire a conviction. This, as Sir John Maynard said, was not and could not be the intention of the Government. In that case, all that was necessary for Government to do was to appoint one of the public prosecutor or the Government Advocate to conduct the trial, because the duty of the prosecuting agency is simply to place the evidence before the court, and for that purpose the services of any public prosecutor ought to have been regarded as sufficient.

It is true that the Council has by a majority granted Rs.75,000 for the prosecution of the case and may also in future grant equally heavy sums for the purpose. But let the Government remember that the vast bulk of Hindu and Sikh elected members voted against the proposition and the Province generally looks upon the action of the Government with disfavour. Of the 41 members who voted for the Government more than half were officials or nominated members, while only 3 or 4 were non-official non-Muslim elected members. On the other side, there were 7 Mussalmans, 10 Sikhs and 17 Hindus. The Government thus carried the day simply on the strength of official or semi-official votes; and this the Government can do in regard to almost all matters so long as the Council is constituted as it is. If the Government desires to rule the Province on the mere strength of official or reactionary votes in the Council, we have nothing to say; if it does not want to do so, the path of duty is plain before it.

The Tribune dated January 24, 1924, page 5, col.1.

SATYAGRAHA AT BHAI PHERU

THE OFFICIAL VERSION - THE MUTATION ORDER

The Deputy Commissioner of Lahore sends to us the following for publication regarding the article entitled "Satyagraha at Bhai Pheru" published in The Tribune of 19th instant.

(i) Mr. Bhagat is quite right in his statement that the lands in dispute at Bhai Pheru form part of the property of the Gurdwara. This property was formerly under the management of Mahant Kishan Das; in accordance with the mutation order it will now be shown in the revenue papers as the property under the management of the Shiromani Gurdwara Parbandhik Committee.

A part of the property including the land in dispute has been for a long time in possession of certain Udasi Sadhus. The position of these tenants who... are entered in the revenue records (as tenants-at-will) is described in the following extract from the mutation order which Mr. Bhagat omitted to.....:-

The S.G.P.C. has not yet obtained ....tive possession of the whole of the Gurdwara lands. A portion of them is ....ld by Udasi Sadhus who for some time have held for free of rent and in some cases free of revenue. Several of them have admitted the control the S. G. P. C. and have entered into agreement with it; but the majority are in .... the same position as they ... were under the Mahant, that is to say, ... y claim ~~property~~ proprietary or occupancy rights. I am not concerned with these claims in the present proceedings.

If and when S. G. P. C. issues notices for ejectment a ainst them, they can .... regular suits to establish their claims.

The law relating to tenants is contained in section 41 to 47 of the Punjab Tenancy Act. Briefly it provides ..that notices of ejectment shall be issued through a revenue officer and if any tenant against whom the notice is issued shal have the right to con..... his liability to objectment by means of .. a regular suit filed in a revenue court. If he does not file a suit, or if the ..... fails, the revenue officer ejects the tenant; but the ejectment is not ordi........ carried out at any other time ..... between the first of May and the .... of June. Theobject of the last pro-....... is to disturb as little as possible ..... course of agricultural operations.

The effect of the mutation order is to place the S. G. P. C. in a position to apply for the issue of regular ....of ejectment against any tenants whom it wished to eject. When these notices had been issued the tenants ...., if they so wished, file suits to establish the occupancy or proprietary rights which they claimed, but the burden for proving this claim would rest on them.

The position had b n exlained by ..... personally to the parties on several ....sions when previous trouble was ....tened at Bhai Pheru. It was fully ....ciated by the counsel representing the S. G. P. C. in he mutation proceedings and the procedure is of such a common occurrence th t it is known to ..... owners of land. From the outset it was

made clear that dispossession by fo ce would not be permitted.

(e) Instead having resort to the ordinary processes of law, bands of Akalis ......fessing to act under the order of the S. G. P. C. have been attempting since the 1st of January to obtain forcible possession of the land in the occupation ...... some of these tenants are being given and will be given the protection against for......... dispossession to which they are ....titled an the bands of Akalis have been dealt with under the criminal law. But there is no intention whatever to give any tenant more protection thatn that to which he has a legal right. When and if notices of ejectment of the tenants are issued, regular ejectment of the tenants will follow in the ordinary course of law, unless they can prove occupancy and proprietary rights.

In short, the legal road is open to any one who cares to take it, the way of lawlessness is closed and will remain closed.

The Tribune dated February 23, 1924, page 5, cols.1-2

FIRING AT JAITO

SEVERAL CASUALTIES REPORTED

DR. KITCHLEW AND MR. GIDWANI ARRESTED

Lahore, February 22 -

News has reached her this morning that on the arrival of the Jatha of 500 Akalis at Jaito yesterday afternoon they were fired upon as a result of which a number of persons have been killed and wounded. But no official information is forthcoming.

BEFORE THE JATHA ARRIVES

Two M.L.A's Turned Back.

Mr. Shainmukham Chetty, M.L.A., and Raizada Hans Raj, M.L.A., who had gone to Jaito on the morning of the 21st instant from Delhi to watch the arrival of the Shahidi Jatha and, if necessary, to enjoin upon it the imperative need of maintaining perfect non-violence were turned back from the place under orders of Mr. Wilson-Johnston, the Administrator of the Nabha State. Interviewd by a representative of the Tribune they stated that they were accosted by certain police constables as soon as they alighted at the Jaito Police station and were asked to go back. Thereupon, at their request they were taken to a sub/inspector of police who after referring the matter to the Administrator did not allow them to enter the town and made the two gentlemen leave Jaito by the first train for Lahore. The jatha had not arrived when they left at 3-30 p.m.

(From the Vernacular Press)

COMING OF THE JATHA

The shahidi jatha, which after taking the vow of non-violence started from Amritsar on the 9th

February with the obj ct of re-starting the Akhand Path at the Gurdwara Gangasar reached the boundary of the Nabha State on the 21st instant. Police men were, it is stated, at every fiftyyards between Gurdwara and Jaito. Dr.Kitchlew, Principal Gidwani and an American representative of the New York Times had already reached the boundary by motor and were prevented from going further by certain officers who shook hands with Messers Gidwani and Kitchlew and told them that they were not permitted to enter the State Territory. Dr. Kitchlew, thereupon, asked if there was any order to that effect and was handed a pap r in reply which was found to be meant for the Jatha. On Dr. Kitchlew indicating this, the Police Officer asked them to wait till a messenger, whom he was sending to the Adminstrator broght a reply. In the meantime the Jatha had also arrived and two police officers attempted to read out the orders to it, but couldnot succeed on account of the noise created by the crowd accompany ng the jatha.

THE FIRING

The Jatha proceeded onwards and when it approached the Gurdwara Gangasar, Mr. Wilson Johnston, the Administrator, and other officers attempted to read out ~~it~~ to it the same order, i.e. only fifty men could enter the Gurdwara on undertaking to return after finishing the Akhand Path. But here too there was too much noise to allow the order to be heard by the jatha. They were then asked to disperse or they would be fired upon. The last words were repeated three times. After a while firing commenced. Som people cried out th t the firing was blank. The firing continued for about two minutes, after which there was a search for the wounded and the dead. Barely three minutes had elasped when

firing recommenced resulting, it is reported, in several deaths and wounded. Little caring for the firing the Shahidi Jatha in fulfilment of the vow proceeded on. By the time when firing ceased, they had entered the Gurdwara.

MESSRS. KITCHLEW AND GIDWANI ARRESTED

On being informed of the firing on the Jatha, Messrs. Gidwani and Kitchlew proceeded towards the spot and were almost immediately arrested.

The reporter of the Punjab Khilafat Committee, Dr. Kehar Singh and all the Sevadars are said to have been arrested. The police took possessionof the carts containing provisions and luggage.

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TELEGRAM TO NABHA MINISTER

Dr. Khan Chand Dev, Secretary, National Medical College, Lahore, has sent the following telegram to the Nabha Administrator:-

On behalf of National Medical College request permission one dozen ambulance men under qualified doctor to render aid to wounded at Jaito. In anticipation of permission and to save time the party is leavin tonight.

SHAHIDI JATHA

TELEGRM TO VICEROY

The following telegram was sent by Sardar Gurubakhsh Singh, M.L.C. to the Viceroy, Delhi, Governor, Lahore and Administrator Nabha at 4-40 p.m. on the 19th instant:

"Akhand Path religious function Sikhs determined perform pious duty Jaito Interference religious rights create critical situation. No arbitrary limit can be put for attendance Hope Government issue orders before 2st avert further friction."

The Tribune dated February 24, 1924, page 1, col.1-2.

FIRING AT JAITO

Lahore, Sunday, February 24 -

It is a striking coincidence that on the very day and perhaps about the very time when the Legislative Assembly was listening to Mr. Rangachariar's explanation of the Bill to restrict the use of fire arms for the dispersal of assemblies to really necessary cases, there happened at a place, not far from the Capital, of India, one of those grim tragedies though the use of fire arms, which, no matter what might be their rights or wrongs, are bound to be universally deplored. We do not at the time of writing know all the facts of the case and so far as we do know anything about the ######## incident there are clearly two versins which conflict in some material particulars. But it is not necessary to know more about the incident that we do to see that it raises exactly the questions which Mr. Rangachariar's Bill is an attempt to settle, namely, whether for the object which the authorities had in view firing was an absolute necessity, and whether assuming that it was necessity, the conditions that required to be fulfilled before firing was resorted to were ########## satisfied. Another question which the incident raises is as important as either of the above two, though it is not touched by Mr. Rangachariar's Bill, so far as once can judge from his explanation, namely, whether assuming that firing was justified, steps were taken to ensure itsbeing confined to within strictly necessary limits, so that the casualties might be no heavier than the circumstances of the case made imperative. All these questions must be answered before the public can be satisfied that the deplorable traged that has just taken place was unavoidable.

The tragedy is a part of the struggle which has been goin on for some time between the Sikh community an the Government makes it all the more necessary for the latter to lose no time not only in answering the questions by publishing all the facts of the case -- it has already done something in this direction by issuing a communique on which we reserve our comments --- but in satisfying the public that its own version of the incident is correct. There is one and but one way in which it can do so, by holding a searching enquiry into the occurrence by means of a mixed committee including amongst its members popular representatives in the Assembly as well as the Punjab Council noted for their probity and their independence; and that is the step which we call upon the Government with all the strength and earnestness at our command to take. Let it not make the mistake it has so often made in the past of proceeding on the assumption that it is enough to satisfy itself by a merely official enquiry. That assumption can only make as it has in the past always made, its case worse. India may not be under responsible government ##ecdde ##### ha#### yet, but she was less under responsible government a decade and a half ago when Lord Morley declared that it was not only possible but in the highest degree expendient for England to observe the spirit of parliamentary democratic government in India, even though its forms did not exist, and infinitely less so eighty years ago when the Court of Directors, the then master of the Government of India, laid down the sovereign principle that it was not enough to do justice, but to satisfy the parties that justice had been done. In this matter of the Sikh struggle the Government has from the first disregarded this elementary principle of government

of government under modern conditions. Let it not repeat that disastrous mistake in the present case. To fire upon a crowd and inflict casualties upon it to the extent of at least 14 killed and 34 wounded is a much more serious thing than even beating non-violent Jathas to unconsciousness, as was done at Guru-ka-Bagh, and the Government must clearly see infinitely greater danger in the one case than in the other of letting judgment go against it by default.

The Tribune dated February 24, 1924, page 3, cols. 2,3,4.

THE JAITO TRAGEDY - 14 KILLED AND 34 WOUNDED
THE OFFICIAL VERSION - HOW THE FIRE WAS
OPENED - JATHA DISOBEYS ORDER TO STOP

Amritsar, February 21 - Sensational news from Jaitohas reached here; and a report from a non-Sikh eye-witness describes that the Shahidi Jatha of 500 Akalis, which started on the 9th instant, reached boundaries of Nabha State yesterday at about 12 noon. Mr. Gidwani and Mr. Zimand of the New York Times who had proceeded in a car had been stopped. Some Sikhofficers of the State met the Jatha on the boundary of the Nabha State, and announced an order poiting out that only fifty of them could go to the Gurdwara on giving an undertaking tht they would return forthwith after they had paid their respects. The Jatha is mentioned as having replied that it would go to the Gangasar Gurdwara and resume the Akhand Path. The Jatha which ~~xxxx~~ was followed by innumerable crowds shouted Sat Sri Akal, and any further orders were hardly audible. The jatha, however, advanced, singing Shabads; and huge crowds eagerly and out of sheer curiosity followed. As it reached the Gurdwara Tibi Sahib, a smaller shrine

shrine about two furlongs from Gurdwara Gangasar, the State officers followed by sowars kept the Jatha in check and ordered the Jatha to retire, failing which it was pointed out that firing wold be opened.

The Jatha is stated to have stood unwavered and was, determined to advance.

The eye-witness then describes that at this stage the authorities opened fire, and there were some casualties both from amongst the crowds and the Jatha which had drawn itself in two lines, one in front and another behind with Guru Granth Sahib between those two rows. After a short while when firing was stopped, the Jatha people lifted their killed and wounded companions and advanced. The eye-witness says that firing was opened second time. At this point the crowd stopped; but the jatha advanced; and there were a few more casualties, and as the Jatha reached the police corden firing was stopped. The eye-witness returned at about 4-30 p.m. and didn t notice anything further.

AMERICAN JOURNALIST'S VERSION

FIRE OPENED ONLY ONCE.

Amritsar , Feb. 21 - Nothing further is heard about the happening at Jaito, Mr. Zamand representative of the "New York Tiems", who returns here today, does not agree with the version of the non-Sikh eyewitness wired this afternoon. He says that as soon as he had reched the Nabha territory, an official of the State had informed Dr. Kitchlew that they could not enter the State boundary. Mr. Zimand at once got out of the car, stating that he was not prepared to disrespect or disobey the laws and orders of any Government. As a matter of fact, he was to leave for Peshawar the day

he left for Jaito on the advice of cert .n friends. He says that he was most courteously treated by a Sikh official of the State, who arranged for his conveyance on return. Being at a considerable distance from the scene of action, he did not see anything. It is further understood that there was firing only once, and not twice as mentioned before. At about 6 p.m. that evening, the Jatha was arrested by the State Police.

The affair has caused concern at Amritsar which is apparent from the enthusiasm and excitement in the city. In front of the Akal Takht this mornin , the account of the occurrence was heard by a huge crowd almost in tears. It is understood that preparations are afoot to organise another similar jatha composed of 1000 instead of 500, and it will march earlier than previously contemplated. Doctors Bhatia, Madan, Partap Singh, and Sant Dass have also left in motor cars to render medical assistance to thewounded persons.

THE OFFICIAL VERSION

ALLEGED USE OF FIRE ARMS BY AKALIS

14 KILLED AND 34 WOUNDED

Delhi, February 22 - The following communique is issued:-

The recent order issued by the Administrator of Nabha State, regarding the conditions of admission to the Gurdwara at Jaito, has been disregarded by the Akalis in spite of frequent intimations; and the jatha of 500 left Bargari in the Faridkot State shortly after the noon yesterday and advanced on Jaito screened by a body of some 6000 other Akalis, who moved on six hundred yards in front in great depth armed with lathis, chhavis spears and firearms. The Administrator with five State

Officials advanced about a hundred yards to meet the Akalis, gave them full warnings, that if they did not comply with the orders he would be compelled to open fire. This warning was utterly disregarded by the Akalis, who hotly ~~xxxxx~~ pursued the Administrator and his party. At this point, a Nabha villager received a wound from a bullet fired by the Akalis. The Administrator gave order to fire three rounds of buck-shot at the leaders who were within a few yards. The line of Akalis then swered to their right where a platoon of Nabha Infantry was in position. The order to fire three rounds controlled fire with service ammunition was given by the Administrator. The Akalis and the jatha then made for a small outlying Gurdwara called the Tibi Sahib; and one squadron of cavalry moved over to try and head them off. The Akalis at this moment increased their fire and delivered a determined attack led by a mounted Akali who gave orders in English to his comrades to charge. The fire from ten dismounted cavalry checked the Akalis, but the Jatha advanced under the Tibi Sahib. Whilst about two thousand Akalis swarmed into the Tibi Sahib Gurdwara, the remainder were already moving off; and the party of 2000 gradually broke up leaving only 100 who are now under arrest at Jaito. Medical Assistance was promptly rendered to the wounded. After the firing Dr. Kitchlew and Professor Gidwani arrived on the scene in a motor, and were taken into custody. Total casualties so far ascertained are fourteen dead and thirty-four wounded. The Jatha itself was not fired on, and no member of it was injured. Great care was taken not to interfere with the "Granth Sahib" which has been deposited with due respect in the Dharamsala. A special enquiry by a Magistrate has been ordered.

contd.

AN EYE-WITNESS'S STORY

We have received the following from an eye-witness to the Jaito affair:-

The Jatha of 500 along with thousands of people started for Jaito from Bargari at noon, preceded by a motor car carrying Dr. Kitchlew, Mr. Gidwani and an American representative of a newspaper. Before entering the Nabha territory, the car stopped at the request of the American gentleman, so that he may take a full view of the advance of the Jatha. About 50,000 people, some of whom had long sticks in hand, were with the Jatha and most of them were leading the Jatha. After taking a birds-eye view of the Jatha the car went further, till they received an order from the Nabha authorities not to enter their territory. Then the Jatha over-taking the car left it behind and went further. The crowd went ahead and did not heed the orders given by some military officers who were Englishmen. It is likely that the order were unintelligible to the people.

At this, the military opened fire. The tail of the crowd turned heels, but most of the people advanced on with the Jatha, who were surrounded on all sides by the people of the villages, most of whom were wearing white turbans. The firing continued for 3 minutes nearly and inflicted some casualties. Then it ceased. But the people in thousands went on. The firing was opene again. But the people and Jatha moved on in spite of the firing. This time the firing was more serious and caused many casualties. I was behind the advancing crowd. But the persons who were in the front say that the number of the casualties may beput between 60 to 70 roughly. Deaths were approximately 15 or more.

After the firing ceased, the cavalry beat

the people. But the Jatha with 12 or 15 thousand people had gained the Gurdwara Tibbi Sahib. They attended the wounded and gave them water to drink. They with a good deal of difficulty managed to carry a cartload of rations. But all other carts carrying luggage and tents, etc., were seized bythe police and the military. After dispersing the crowd, the military turned their attention to the Jatha itself. It is said by the people on the spot that they were beaten with the sticks mounted with pikes and they tied hand and foot and loaded into bullock carts and carried away. The use of the wells was also prohibited. Then the police asked the people in the Tibbi Gurdwara to go away. It cannot be said what fate they met.

Dr. Kitchlew's motor car was behind in the Faridkote territory at the time of firing. But news come that after the firing was over, the party reched the spot. It is given out as well that Mr. Gidwani and Dr. Kitchlew were afterwards arrested. I was with the Jatha till the firing stopped, and was all along watching the events from behind.

The Tribune dated February 27, 1924, page 1, col.3.

THE JAITU AFFAIR

It must be clear to Government that the Jaitu affair has caused the greatest sensation in the country, and that the Sikh community in particular is deeply stirred over it. According to the Amritsar correspondent of the Civil and Military Gazette "the happenings at Jaito have aroused a great deal of indignation among the Akalis" and the excitement took the form of "half a dozen public meetings " within a few

hours after receipt of the news. Our own information is substantially similar, and the same, as far as we have been able to gather, is the case wherever there is a strong Sikh community. The communique issued by the Government of India, no doubt on information received from the Nabha authorities, so far from allaying the feeling of indignation and bitterness has considerably accentuated it. It is stoutly denied that the crowd was armed with firearms or that any member of the crowd fired a bullet which wounded a Nabha villager, or finally that at a subsequent stage the Akalis increased their fire and made a determined attack upon the State officials and the State forces. As many as four eye-witnesses saw Pandit Malaviya while he was at Lahore and we know from his speech at the Hindu Conference that they all swore before him that there had been no firing on the part of the Akalis. The same statement is emphatically repeated by Sardar Gulab Singh, M.L.A., who characterises the statement in the official communique as "absolutely false" and says that "a sufficient number of respectable witnesses will be forthcoming to expose the statement." If an independent enquiry is held. All these circumstances, coupled with the extreme seriousness of the tragedy itself, make it absolutely imperative on the part of the Government to hold an immediate enquiry into the matter by means of an independent committee including a substantial number of popular representatives who enjoy the confidence of the public generally and the Sikh community in particular. We do hope no time will be lost in appointing such a committee.

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THE NABHA AUTHORITIES' BLUNDER

On one point even the Civil and Military

Gazette feels constrained to condemn the actionof the Nabha authorities, though in its own way. Referring to the exclusion of Mr. Zimand from the Nabha territory, the Gazette writes:

"From a journalistic point of view and possibly an Imperial standpoint it is rather unfortunate that Mr. Zimand should have been prevented from reaching Jaito, for he represents an independent American newspaper of standing as opposed to the 'Yellow Press' which publishes the most garbled reports of Indian topics generally unreliable and often absolutely untrue. Of course the Gazette adds in the same breath that 'the action of the Nabha authorities in requesting him not to enter is excusable enough in view of the nature of his companions.' But this is neither logic nor commonsense, but is merely a characterstic ...ing at two of the most respected men in the national movement. As regards the action itself,' the journal has only to read Sardar Gulab Singh's statement to know what interpretation is being put upon it by those vitally concerned.

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A CURIOUS BATTLE!

It is amusing, in this connection, to notice the persistency with which the Gazette has been describing the incident at Jaito as a battle. The most wonderful thing is that neithter the Gazette nor any one else has so far told us what were the casualties on the other side in this battle. That must, indeed, be a very curious battle in which in spite of "fire" and "increased fire" and "a determined attack" made by one side on the other, all the casulaties are on the side of the former. We confess we have never yet read or heard of any such battle.

The Tribune dated February 28, 1924, page 1, col.1-2

JAITO IN THE ASSEMBLY

We have no hesitation in saying that public opinion all over the country will strongly deprecate the action of the resident of the Legislative Assembly in disallowing Pandit Malaviya's motion for adjournment of the House to discuss the occurrence of the 21st instant at Jaito. The decision would have been regrettable from every point of view even if the authority of the rules quoted by the president in support of it had been clear, though, of course, in that case he would have had no choice in the matter. But as Pandit Malaviya pointed out with convincing force, the present case was easily distinguishable from those contemplated in the rules. The territory in which the incident occurred was undoubtedly an Indian State territory, but the administration was wholly British and was carried on in the name and on behalf of the Government of India. When such an administration makes itself responsible for an incident which deeply stirs the heart of the whole country every consideration of logic, of expediency and fairness, of commonseense itself demands that it should come under the purview of the Legislature. But the case is even stronger than that. As Pandit Malaviya pointed out it was not merely that the Government of India was wholly responsible for the administration of the State, but the persons who in this case had been either killed or wounded as the result of the firing resorted to under the orders of the Administratio were all His Majesty's subjects. Suppose for an instance such an incident had taken place not within the territory of an Indian State but in an absolutely foreign and independent

country. Does any one really believve that the Indian Legislature could have remaind unconcerned in regard to it? How much unreasonable is it to ask it to remain unconcerned when the incilent actually happened within a territoyr which is Indian in ev ry sense of the term and which is administered for the moment by the Governmen of India itslef, which it is the chief business of the Indian Legislature to influence! If the rules did really preclude a discussion of such a matter by the Legislature either in the way proposed by Pandit Malaviya or in the ordinary way by means of a resolution, every right thinking person would agree with Mr. Rangachariar that they should at once be modified. But we do not believe for one moment that it could have been the intention of the rules to preclude the discussion of such a matter. The President asked Mr. Rangachariar what he would have done if he had been in the chair. We do not think there can be any reasonable doubt on that point. The very question has be put to the President showed that he would have allowed the motion.

But if public opinion will strongly deprecate the action of the President, it will condekn far more strongly the attitude taken up by the Home Member. It was at his instance apparently that the President took the action he did, and while that action would be generally regarded only as a grave error of judgment, the only impression created by the Home Member's intervention will be that he and the Government of which he was the spokesman were anxious that this matter should not be discussed in the House, and Sir Malcolm Hailey is too shrewd a man to have any doubt as to the interference that will be inevitably drawn from this supposed anxiety. A wise and statesmanlike Government,

so far from placing an obstacle in the path of such a discussion, would have welcomed it, if only because it would have afforded it an excellent opportunity of allaying the feeling of indignation that the incident has undoubtedly created in the public mind. That feeling is either justified or not. If it is, not justified and is due to an ignorance of what took place, the Government has only to make a full statement of all the facts of the case to allay it. If, on the other hand, it is justified, all that the Government has to do, and this is what a wise Government would do at once, is to make a public declaration of its detemination to hold an immediate enquiry into the matter and do the fullest justice. Pandit Malaviya would probably have asked for an independent Committee of Enquiry. What the Government of India ought early to have done was to have immediately acceded to the request or even anticipated it by announcing the appointment of such a Committee itself. Instead of following this wise and commonsesne course, what Sir Maloolm Hailey did was to seek to shut out all discussion of this subject on the technical and certainly questionable ground that such a discussion was not permissble under the rules. As if a mere technical adherence to supposed rules was everything and the pacification of a people nothing. As if, moreover, to shut out a discussion in the Legislature was the same thing as to prevent that discussion everywhere else, in the press, on the platform and in the market place and was not, indeed, the best means of stimulating such discussion in all likely and unlkely places! Was there ever folly like this?

Now that the President has given his ruling we think the Legislature as a body is clearly out of it, unless, of course, means can be found by a resolution to discuss the President's ruling itself or the rule can

be modified immediately to make the discussion possible within a reasonably short time. But this ought not to finish the business of the Legislators themselves in this vitally important matter. Pandit Malaviya marked his protest against the action of the President by leaving the Council Chamber accompanied by a number of others.. This form of protest is perfectly justifiable and is familiar enough, but it does not lead to any important result unless ~~effective~~ it is followed up by other and more effective action. What this action should be it is for them to determine, but we are sure they will not, as they cannot, let the matter drop. Once again has the whole question of the rights of the people come to the fore in the most unpleasant form in which it could possibly arise, a form which bears a strong resemblance to that in which it arose on the morrow of Martial Law. Once again has an assembly, which according to the version of non-official eye-witnesses was peaceful and non-violent, been fired upon in circumstances when, again according to that version, there was no justification whatever for resorting to firing. The fact that there is another and a totally different version which represents the crowd not only as having been violent but as having been actually the first to open fire makes no difference to the general position. It shows all the more clearly the imperative necessity both of finding out the truth by an independent and absolutely impartial investigation and of an authoritative declaration of the rights of both the people and the Government. It is the clear duty of Legislators and of the public generally to resort to every constitutional means in their power to secure both these objects.

The Tribune dated February 22, 1934, page 1, col. 2, 3.

THE JAITO AFFAIR

If the action of the President of the Legislative Assembly in disallowing the motion for adjournment of the House to discuss the occurences of the 21st instant at Jaito was a grave error of judgment, the ruling of the President of the Punjab Legislative Council disallowing Sardar Jodh Singh's motion on Tuesday was even more indefensible. While Pandit Malaviya's motion was primarily and principally one for the discussion of the concurrences at Jaito, Sardar Jodh Singh's motion did not aim at discussing the Jaito affair at all but simply the situation created in the British Punjab as the result of the shooting of a large number of Akalis (British subjects) at Jaito. It must be obvious to every dispassionate mind that the motion, as it was worded, did not attempt to raise a discussion of the affairs of an Indian State, even though that State be not under the rule of an Indian Prince, but under the direct control and management of the Government of India. All that it purported to do was to discuss the situation crated in the British Punjab by the shooting of certain British subjects of the Punjab at a place which was dejure a part of the territory of an Indian State but de facto a part of the territory administered by the British Government. It was clearly stated by Sardar Jodh Singh and Sardar Narain Singh whohad given notice of the motions that they did not want to discuss the firing at Jaito, but merely the situation created by it in the British Punjab, and yet the President by a piece of reasoning which is as far fetched as it is fantastic, arrived at the conclusion, that he must rule it out of order. After stating that the rules do not permit discussion of the affairs of Indian States, the President goes on to say:-

"It has to be considered, therefore, how the discussion which it is propose to raise can be carried out without infringing the rules, and I asked the Hon'ble members to give me an outline how they proposed to conduct the discussion. Their reply centres on the action past and future of the Punjab Government in respect of Jathas, what Government will do to ease the existing situation and their fear that if nothing is done certain events may be repeated. Such matters, in so far as discussion thereon might remain in order, merely deal, it seems to me, with one aspect of the question raised by the proposed motion; and the more I have considered the subject, the more I feel that the real situation in the Punjab which it is proposed to discuss is something quite exceeding the limits which the Hon'ble members would have to observe during the debate they propose to raise."

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In other words the ruling of the President comes to this. If you attempt to discuss the whole matter the motion must be disallowed under the rules; if, on the other hand, you conform to the rules and narrow down the scope of your motion, the discussion will, in that case be merely "fractional" and the "whole situation" cannot be discussed in any manner approaching completeness." Ergo, the motion cannot be allowed in any form whatever. A more unjust and indefensible ruling it is difficult to imagine.

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The Tribune dated March 2, 1924, page 9, col.3.

JAITO TRAGEDY

CONDEMNATION BY DELHI MEETING

LORD OLIVER'S STATEMENT - MR.MOHDIAN'S STRONG SPEECH

Delhi, February 28 - A large attended public meeting of the citizens of Delhi was held last evening at the Pataudi house to protest against the action of Government at Jaito and deplore the loss of several lives. Besides Ali brothers and several Members of the Central Legislature including Pandits Moti Lal Nehru, Madan Mohan Malaviya and Krishna Kant Malaviya and Messrs Karandikar, Kalkar, Shamukham Chetty and Maungkin were present, Moulana Shaukat Ali presided. Almost all the speakers said that real facts had not been disclosed. The meeting passed the following resolutions unanimously:

(1) This public meeting of the representatives of all sections of the Indian Community present in Delhi places on record its abhorrence of the action of the authorities in sanctioning indiscriminate and ruthless firing at Jaito on the unarmed and nonviolent Akalis and the spectators present which resulted in heavy casualties and injuries to unoffending men and women.

(2) In view of the fact that the Akali Jathas have hitherto faithfully adhered to the vow of non-violence even under most trying coditions, this meeting does not believe the allegation that the Akalis were armed with chhavis, spears and fire arms and began firing. If the Government persists in making assertion to the contrary, it should give necessary facilities to a committee of iddependent gentlemen to investigate the whole tragedy.

(3) This meeting places on record its emphatic opinion that all restrictions imposed on the Akalis proceeding to the Gangasar Gurdwara at Jaito, to complete and carry on the Akhand Path of the Granth Sahib, are unprecendented and unjustified. The Akalis have a right to carry on without any hindrance so long as they do not commit any offence.

MR. MOHAMMAD ALI

Moulana Mohamd Ali was the principal speaker who said that the incidents such as that tragically enacted so recently at Jaito, occasion no surprise to him. Like Sikhs he belonged to a community that had often been reproched for its extreme loyalty to the Government and he would like to tell those, who had expected from the Government anything other than what had once more happened now in the Punjab, that he had not so very many years ago shared their expectations as one member of a community whose loyalty bordered on sycophancy. But events in the Punjab in 1919 had cured him all of such vain delusions, and now he expected from the Government nothing better than a repetition of Jallianwala baghs and Jaitos, and since he was not disappointed, he had no complaints to make of the recent action of the Government. In no other country in the world did the administration show such utter disregard of the sanctity of human life on the least provocation. Those in authority restored to the use of fire arms and ruthlessly shot down unarmed crowds. Even if every word of the official report of the happenings at Jaito would be taken to be true, and there was no chance of any body being permitted by the Government to hold an independent enquiry into them, even in that case there was no justification for firing on the Jatha or on the crowds. But why need

Government labour to prove that the crowd had sticks and chhavis etc. The speaker asked whether the representative of the Government at Jaito would have permitted the Jutha or crowd to proceed to the Gurdwara evenif there were no sticks and no chhavis and would he not have ordered firing then just the same if they had persisted in advancing? He did not for a moment believe that the jatha or the crowd had used any violence or were armed with anything so dangerous as to cause genuine apprehensions of violence on their part and the whole thing seemed to be a poor apalogy for reasons justifying the opening of a fire on a peaceful but determined set of brave people./ If the Sikhs, many of whom had served the Government in its well-trained army, did use fire arms, sh how was it that the Administrator himself escaped even at such close quarters and troops did not receive a scratch? Why was it reserved for an unoffending Nabha villager, himself probably a Sikh and an Akali to receive the only bullet?

LORD OLIVER'S STATEMENT

The incident at Jait, significantly occurred just when the Secretary of State was nursing and restoring his throat at the seaside before he made his portentous pronouncement on the constitutional Reforms after the Governments decisive defeat in the Assembly. The speaker said that hehad just read the Reuter's summary of Lord Oliver's speech and if this was all that the Fabian Secretary of State had to say to India on this critical occasion he need not have waited so long to recover his voice. "Why said the Maulana" Even I with my horrible cough and almost chronic hoarsenss could have said something more consolling to the Swarajists and Independents, not to mention the Moderates. For a

Siren ..ong- Lord Oliver's discourse was terribly dise....nting."

Continuing Maulana, Mohammed Ali said that the majority of the Congressmen had kept away from the Legislatures and the Swarajists' minority of Congressmen too had toned down its demand out of deference to the extreme moderation of the Independents. But if Lord Oliver's statement following on the Jaito tragedy was a response to the co-operation which the Nationalist Party had offered, he felt sure that no selfrespecting peson in the country could co-operate with the Government any further. On the Mahatma's release, reminded the speaker, he had expressed the willingness of those, whom he represented, to grasp the hand that would be held out by Government for reconciliation. But the only hand that was so far visible was the one that had pulled the trigger at Jaito and, with great reluctance and in all humility, he declared that neither he, nor those whom he represented, could grasp that hand.

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The Tribune dated March 14, 1924, page 2-3 cols.1-4/.1-2.

THE JAITO TRAGEDY

OFFICIAL ENQUIRY - FINDINGS OF S. BALWANT SINGH

Delhi, March 12.

The following report is issued by Sardar Balwant Singh Bar at Law, P.C.S., Magistrate first class, who was deputed to enquire into the incidents that took place at Jaito on the 21st February, 1924-

Under the orders of the local Government, I have held an enquiry into the unfortunate incidents that took place on the 21st of February, 1924, at Jaito in the Nabha State in connection with the arrival of the Shahidi Jatha of 500 men with the ######## announced object of resuming the alleged interrupted "Akhand Path" in the Gurudwara Gangasar. I have examined so many as 56 witnesses. Including the Administrator of the Nabha State, Mr. J.Wilon Johnston, President and two members of the Faridkote Council of Regency, military officers in charge of the operations on that day. Lt.Col.J.C. Coldstream, D.C.Ferozepore, Lt.Col.E.G.Gregson, Superintendent of Police, Ferozepore, several Raisis and villagers of the Nabha State and some Akali members of the Shahidi Jatha.

OBJECT OF SHAHIDI JATHA

Before going into the evidence given by witnesses, it may be explained here that a batch of about 22 Akalis is being daily arrested by the Nabha State authorities at Jaito on their way to the Gurdwara to resume akhand path. They are usually nonviolent in their character. But the declared object of the Shahidi Jatha

as its name implies, was a different one. It was to enter the Gurudwara and to resume akhand path at all costs and not to sheepishly surrender themselves like other Akalis to be usually arrested only on their way to the Gurudwara; and even if they were once turned out, they would again and again come, and in the attempt they would even go to the extent of losing their lives, so the object of the Jatha was unusually strong and a different one. At least it is obvious enough that marked distinction did really exist.

From the evidence on record, it seems that the announcement of the formation of such a Jatha was indeed a great news for the Akali public and for the Nabh people. It was an opportunity for the daring ones to come to the forefront to get themselves enlisted in the ranks of the Jatha and to do somehting practical. It was also a welcome news for the extremist section of the Congress, as is shown by the presence of Professor Gidwani and Dr. Kitchlew with the Jatha. So the arrival of such a Jatha naturally attracted large crowds at every halting place all along their way to Jaito. Some of them brought sweets and refreshments for them, others came as mere spectators, paid their durshan to the Jatha and went away, but many more accompanied them, encouraged them, and openly declared their intentions of using force against those who happen to intercept the onward march of the Shahidi Jatha.

OFFER TO THE JATHA

A member of the Shahid Jatha, Jagat Singh, relates the incident of an offer of a subsidy of 500 mento the Jatha. There is evidence to show that at Hari Ke Patan, Droli, Jatha visited the Shahidi Jatha, but

they were told to go away and replied that they would go away then, but would join the Shahidi Jatha either at Lande or Bargari. It appears that at Lande, a large number of the Droli Jatha arrived, including many who had visited Hari Ke Patan. In a dewan held there in the evening, a member of Droli Jatha is said to have addressed the Shahidi Jatha, saying that he had brought 500 men for their safety, but the Shahid Jatha must arrange for their food in their langar which was separate from that which was provided for ordinary people coming to see the Jatha and which had up till then been exclusively used by the members of the Shahidi Jatha. Accordingly the members of the Shahidi Jatha fed them in their langar. Further there is also eviden that on their way from Bargari to Jaito the Chief Jathedar halted the Jatha and addressed the Droli Jatha that time for their work had come. There is evidence to show that the Shahid Jatha instead of proceeding to Samalsar according to their published programme, went to Lande village in the Moga Tehsil to which the principal members of the Droli Jatha belong, apparently with the object of obtaining help of all sorts from members of the Droli Jaha.

LT. COL. COLDSTREAM, Deputy Commissioner, Ferozepore, states that he received reports from the Tahsildar of Moga after the Jatha had left its last camp in the Ferozepore distrit, that Droli men had left with Shahidi Jatha and some of them were armed with revolvers. In spite of the statement that they were so mixed up with the crowd that it was hard to distinguis them from others there is an overwhelming evidence to show that they were really the leaders of the most noisy, yelling and disorderly majority of the mob following the Jatha. Ultimately at Baroli in Faridkot territory, the last halting place of the Jatha, the number of the mob

swelled up between 8 to ten thousand. There is evidence to show that at Baroari a large number of men belonging to the Nabha State waited upon the Shahid Jatha to reasonwith them and to dissuade them from coming in such large numbers and in that military formation. Lala Izat Rai, a member of the Faridkote Council and other witnesses state that the mob, after they had left Bargari, armed themselves with tambas (cudgels), freshly chopped off from at trees.

ARRANGEMENTS AT JAITO

On the other side the Nabha State officials were making preparations for the reception of the Jatha. Their arrangements as is stated byMr. Wilson Johnston were all for the convenient handling of these 500 men and their Sewadars which were expected to be not more than 200 to 300, splitting them into small parties by the use of barbed wires and barriers in order to facilitate their arrest. Even in spite of the various reports which the Administrator received from time to time that a mob of Akalis were flocking round the Jatha in large numbers, he seems to have never thought that allthis mass of uncontroled individuals would reallyaccompany the Shahidi Jatha.

DEPUTATION OF VILLAGERS

A deputation of the villagers of the (ilaka, Nabha) as above mentioned, requested the Shahidi Jatha to send away these big crowds and especially irresponsible Drolis whom they feared most and also that they were welcome to enter the Gurudwara in batches of 50 at a time; but allthis was to no purpose. There is evidence to show that the mebers of the Deputation were not only ridiculed, but were treated with considerable rudeness by the mob.

On the morning of the 21st, a mob of about 10,000 Akalis, ranging on a front of half a mile in length started from Bargari. It may be noted that the mob was met by the State officials at the canal distributary within the Nabha territory and a notice was read out to them, asking them not to proceed in such large numbers, but that they should come according to the proclaimationissued, that is, 50 at a time, on the condition that they would leave the Nabha territory after the Akhand Path had finished. But they refused to listen to them and moved on and n. It may also be pointed here that up to Bargari, the Granth Sahib (Sikh scriptures) were in front of the procession, but from Bargari onwards it was removed to the centre and the band which had accompaniedthem was dismissed. There is evidence to show that this arrangement was deliberately made to protect a sacrilege in case of conflict and the Droli Jatha took up on their flanks.

ARRIVAL OF JATHA

As the Administrator never imagined that he would ever stand in need of using troops in arresting the jatha, he had only some villagers , police, and some men of the State infantry with him. With the exception of 20 policemen, who were armed with smooth bored guns, all the rest had dange. It was a little time before the Jatha came in sight that one of the sowars and L. Isat Rai, a member of the Faridkot Council, warned him of the seriousness of the situation. He ordered a platoon of the State infantry to go and change their lathis for rifles. Colonel Muirhead, meanwhile arrived. The clouds of dust and the consequent enormity of the numbers of the mob coming in advance of the Jatha thus greatly

excited in mood, the disorderly way in which they were advancing and the brandishing of all sorts of weapons with which they were armed made the Administrator change his former arrangements and issued orders to the villagers to withdraw from the scene. Realising the seriousness of the situation, Colonel Muirhead also called in a squadron of Skinners Horse and stationed them on the left of the road from Barori to Jaito, to command a more central position, while the 6 platoons of Gurkhas were called closer in reserve. The Shahidi Jatha was at the time totally screened and hemmed in by this disorderly rabble, who seemed to be prepared for an onslaught.

MOB FOLLOWS ADMINISTRATOR

The Akali mob was at a distance of about 200 yards from the first barrier when Mr. J. Wilson Johnston along with some other State officials, advanced to meet them and with outstretched arms shouted at the top of his voice asking them to halt and to disperse and repeatedly warned them of his being obliged to open fire in case they refuse to do so. But they did not listen to him and defied him by making a wild display of their various weapons and told him that they had come there to die so much so that he had to run back to the barriers. The mob followed him recklessly and seems to have absolutely forgotten the sanctity of the proposed non-violenc object of the Shahid Jatha. The leading men of the mob were at a distance of 8 to 10 paces from Mr. J. Wilson who issued orders to the police to fire. Three rounds controlled the fire.

FIRING JUSTIFIED

Now in order to judge whether this firing was justified or not, we must reiterate some of the events already mentioned. The Jatha, as usual, started on the

instructions of Shri Gurudwara Prabandhak Committee and had sworn to remain nonviolent under circumstances of gravest provocation; but their amalagmation with the violent Jathas, that is the Droli Jatha etc. and huge crowds armed with all sorts of weapons which they could oath hold of, was certainly a breach of the precept. The lopping off lambas from trees on the way is a proof of the mob's preparation to us force in case an attempt was made to stop them. Had the Jathedar of the Shahid Jatha tried in earnest to send off the gathering crowd, he could do so by vigorously appealing to the mob and by expounding the sanctity of the mission. The way in which the Shahidi Jatha men encouraged the Droli Jatha men and others to accompany them accepted all offers of sweets from them, had a common langar at Tarantarn and Bargori, did not check them from lopping off the cudgels from trees on the way, allowed them to make all sorts of noise round the Granth Sahib and changedtheirway from Smalsar Lande is sufficiently incriminating.

UNDEPLORABLE CONDUCT OF SHAHIDI JATHA

But on the other hand, the repeated requests of the Shahidi Jathadar in asking them to allow his Jatha to proceed on unattended to Jaito and also his statements that they had taken the solemn vow of remaining non-violent, both in words and in action, makes one believe that this was merely a subterfuge especially in view of his action I have noted above, of calling on the Droli Jatha to do their part when the mob was nearing Jaito. Thus it is obvious that the mob as a matter of fact accompanied the Jatha with its connivance, if not with expressed consent; and so the members of the Shahidi Jatha by their unpardonable conduct put the Nabha authorities in such an awkward position that they could

not have saved the situation without firing on the mob. As already shown they ridiculed and rudely treated the panchayat and kept on advancing towards Jaitu. They did not care for anything and went on with all their characterteristic rowdyism. They defied the Administrator and the State officials and even threatened him by closely following him at his heels and waved their weapons in a way which clearly showed their intention of breaking through the barriers and making short work of all that fell in their way. The mob seemed to be determined in the course they had adopted, as is shown by their subsequent conduct. They went on even when they were warned that they will be fired upon.

WHY FIRING WAS OPENED

The Administrator, after doing all that he could really do to peacefully ward off the danger to the Gurdwara, village, an the villagers of Jaitu, became helpless. The situation in which he was thus placed was simply hopeless and the only solution to the impending danger was to disperse them by use of force. The efforts of the officers of the Ferozepore District at Talwandi Bhai to bring them to reason, of Fardidkot authorities in forbidding their subjects to join them, the waiting of panchayats upon them, the offers of the authorities that they could come to the gurdwara in batches of 50 at a time, and finally the loud warnings of the Adminstator, are all sufficient proofs of the cool headed way in which they were handled. But they seemed to be bent upon what they did and so it was, I believe, as an absolute necessity that the Administrator opened fire and that none too soon.

THE SECOND FIRING

Even after this short burst of fire the mob showed no signs of retiring. They swerved on to their right and made a dash towards Tibbe Sahib. The situation being grave and critical, once more Mr. J. Wilson Johnston had to order the State platoon to fire which was accordingly done.

USE OF FIRE ARMS BY MOB

There is evidence to show that fire arms were also being used by the Akalis' side. One immamuddin, a resident of Bubri Khana, a village in the Nabha State, received a shot under his left thigh, one bullet passed through the turban of Hazura Singh (W.No.13) another pierced through a door of a cattle shed, belonging to a resident of Jaitu and several others missed by the various British Officers and Sardar Bahadur S. Indar Singh, President of the Faridkot Council, etc. The Akali Shahidi witnesses also tell us about the use of A.D.B. gun by one Jagat Singh of the Droli Jatha. Immamuddin Hazara Singh and Sardar Bahadur Sardar Inder Sigh etc. the witnesses above referred to, were behind the firing party. So it is highly improbable for these shots to have come from any other side than the Akalis. There is no denying the fact that the Jatha was accompanied by a lage mob under the leadership of the Droli Jatha whose ringleaders were Sucha Singh and Dulla Singh, badmashes.

NUMBER OF GUNS

But the evidence given before me that the number of guns with the Akalis ranged from 5 to 10 or 12 does not seem to be convincing. For the purpose of this enquiry, however, I think it is not necessary for me to

determine the exact number of guns the Akalis possessed or used. All that I have got to determine is whether the did use any firearms.

After giving a thoughtful consideration to this, I am of opinion that they had a few guns and that they used them all right at the time.

WHO BEGAN FIRING

As to the question who began the firing I consider that whichever party began the firing does not matter much, as there is overwhelming evidence to show that the mob was prepared to achieve its end by all possible means and were so constituted that a prudent man under the circumstances had no option but to open fire to repel their menacing advance in the military formation. Now when the Akali mob became absolutely violent as is shown by their conduct in openly exchanging shots, with the state forces, the authorities were free to deal with them in a way that most befitted their conduct. Had they dispersed and resorted to their usual peaceful way, the authorities who, as has been shown above, were ill-prepared for an onslaught, would have certainly stopped firing. But the unfortunate mob made a battle of the whole show. They shouted on to their right in full force in order to capture theGurdwara Tibbi Sahib by a general assault. The Administrator once more observing the frantic rush of the mob to the left ordered another three rounds of controlled fire.

In the meantime Major Bell Kingsley, finding that a mass of Akalis was trying to reach the Tibbi Sahib from the side where he had taken up his position with a platoon of 104th Gurkhas , fired upon them. He states that his men were also exposed to a great danger

and some of the bullets from the Akali side actually fell at a distance of a few paces from him. After this the mob faltered for a few moments, but when they had once gone out of control, there was no receding back. They swept on furiously under the leadership of Sucha Singh, mounted on a white pony with a drawn sword in his hand and issued orders in English. This was most desperate charge which they made. But Major Lorrimer and his ten dismounted sowars completely dispersed them after two short bursts of fire. The Akalis broke up finally and had to be pursued for a distance by Colonel Murhead to stop their rejoining the party that had reached the Tibbe Sahi . No violence was used in their final dispersal by the sowars and it was simply done to stimulat their flying Akals into further efforts to vanish.

The suggestion that it would have been much better, hadthe authorities used some other force, say the use of lathis instead of the firing, is suggesteing something which, in my opinion, could not meet the exigencies of time. The mob was, as has been shown already armed with all sorts of weapons including fire-arms. How was it possible to stop them by the use of a corresponding and rather unsuitable use of a force like that of the lathis. It would have been still worse and still more impossible to disperse them in this way.

NUMBER OF CASUALTIES

From the evidence before me I gather that 14 Akalis were found shot dead and 34 wounded on the evening of the 21st, out of whom five died next day, the total number of casualties thus coming up to 19 dead and 29 wounded in all, 3 wounded were brought in from Ferozepur by the police on the 3rd day.

MINIMUM FORCE USED

Keeping in view the comparatively small number of casualties out of such a huge crowd leads me to believe that the force used was minimum and the firing was considerate. My view is strengthened by the fact that the party was deliberately left to proceed unharmed to the Tibbe Sahib. Had the State directed their guns to the pallinquin containg the Granth Sahib, I think it highly improbable that it could have reached. Tibbe Sahib unmolested. This undoubtely shows that the State officials had no intention to fire upon the Shahidi Jatha if they did not resort to any violence. The Shahidi Jatha lost a few of its members only on account of its being thoroughly hemmed in and screened by the stampeding mob, who were trying to capture the Gurdwara by a general assault.

MEDICAL AID TO WOUNDED

The evidence of all the witnesses from the Administrator downwards including the Akal Jatha men and the medical attendants on both sides, shows that after the firing had ceased, all the wounded were properly attended to by the doctors and they were all conveyed to the camp after the first aid had been rendered to them The statement of the Sub Assistant Surgeon, Kehar Singh, who had accompanied the Jatha throws sufficient light upon the good treatment the wounded men were meted out by the necessary dressing materials by the State authorities and that he was in no way deterred from rendering mediacl aid to his men. Neither he nor any of their medical staff was beaten or ill-treated. The authorities then arrested the Shahidi Jatha on the skirts of the mound on which Tibbe Sahib stands, but they did not touch those who were in immediate charge of the palanquin of the Sowari Sahib and requested the party to convey the Granth

Sahib either to the village Dharmsala or to the Gurdwara to save it from the disgrace of its being placed on unclean ground. The party refused all terms, but they voluntarily withdrew at about 10 p.m. when some of the selected Sikhs of the State took the Granth Sahib to the village Dharamsala with due respect and ceremony.

SUMMARY OF FINDINGS

To sum up it is abundantly clear that the mob and the Shahidi Jatha defied all efforts on the part of the people and authorities of the Nabha State to reason with them and chose an unreasonable course and that the mob was in an excited mood and armed with all sorts of weapons, including fire arms and was prepared to see through the game. They all knew what the game was and even went to the extent of insulting the Administrator, and after brandishing the weapons, they actually used the fire arms. It was but natural and the only course left to the Administrator was to order firing which was done not too soon. The small number of casualties in a such big mob shows that the firing was controlled and did not exceed the exigencies of the moment. The wounded were attended to at once and that but for the complicity of th Droli Jatha, the unfortunate event could not have happened

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The Tribune dated March 16, 1924, page 4, cols.1-3.

THE SECOND SHAHIDI JATHA

MILITARY DISPLAY AT JAITU - THE POURPARLERS

JATHA ARRESTED

Jaito, March 14 - Pandit Malaviya, Messrs. Gulab Singh, Kartar Singh, Vedamurthi, D.P. Sinha, Rangaswami Ayengar and K.S. Bhati arrived from Delhi at 7-30 this morning. Messrs. Maqbul Mahmud, Jawahar Singh, Duli Chand, Punjab Councillors, had arrived on

the previous day. Panditji and party had a long conversation lasting till 11 a.m. with the Administrator, exploiting all avenues of compromise. The Administrator was willing to recommend permission to full jatha to enter the Gurdwara if Panditji would give him an assurance on behalf of the S.G.P.C. that the Akhand Path will be finished within a very short definite time, say seven days. The Administrator wanted such a guarantee from responsible quarters as the basis to go upon. Panditji said he could not give such a guarantee and proposed that the commencement of "Akhand Path" should be permitted and the S. G. P. C. would be moved to advise simultaneous Akhand Paths and thus finish them within a short time. The Administrator, was not prepared to allow the commencement of the "Akhand Path" unless there was a definite guarantee of time, suggested a truce of 2 or 3 days to arrive at some settlement the Jatha to wait in pens and bide time till that was done. Panditji and party went by motor and met the Jatha a mile and a half beyond the Nabha border and talked to some Jatha people who said, they had said Ardasa in the morning and had vowed to start the "Akhand Path" in the Gurdwara today, but after starting the "Akhand Path" they would obey the order of the "Akal Takht" that may be communicated later, as to the time. The Administrator is not prepared to allow the commencement of the "Akhand Path" without guarantee he originally wanted. The Jatha now is two and a half miles from Jaito.

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(Later)

Jaitu, March 14 - As I mentioned in an earlier telgram despatched today Pandit Malaviya, Sardars Kartar Singh and Gulab Singh, and Messrs D.P.Sinha, K.S.Bhatt,

Rangaswami Iyengar and Vedamurthi arrived here from Delhi at 7-30 this morning.

THE POURPARLERS

Immediately on arrival they, along with the Punjab M.L.C.'s already here, i.e. Messrs. Jawahar Singh, Maqbool Mahmud and Duli Chand, had a long conversation wit the Administrator lasting till about 11 o'clock. During this time Pandit Malaviya and party also visited the Gurdwara Gangasar and agreed that the hall of the Gurdwara could accommodate 400 people and the courtyard into which the doors of the hall opened, was spacious enough to accommodate 1,000 people. Pandit Malaviya and party were of the opinion, of which they apprised the Administrator, that at one time only one Akhad Path could take place with due propriety but that if it was desired to hold simultaneous paths 3 could be held without impropriety. In this way it would take 10 months if one path were performed after the other while 3 at a time would occupy about 3½ months for 101 Akhand Paths which the Shahidi Jatha were pledged to complete. The Administrator and said that the duty he owed to the subjects of the State made it impossible for him to allow an invasion of the State territory by outside people for a period of ten months or even for that of three months. He said the only basis on which a compromise could be considered or negotiations opened was a precedent guarantee from the S. G. P. C. that the Akhand Paths would be finished in a very short definie period, say, seven days. Mr. Johnston proposed for this purpose the holding of 101, at least 50xx or paths simultaneously. As a result of the discussion he was willing to admit the jatha into the Gurdwara but only on the condition that Pt. Malviya should give the required guarantee on

behalf of the S. G. P. C. This Panditji was not in a position to do. Panditji emphasised on the other hand that the only possible basis of solution could be the unconditional admission of the jatha into the Gurdwara, since they were pledged to start the Akhand Path, and then to carry on negotiations with the S.G.P.C. He hoped that in view of the establishment of the principle of religious liberty by the unconditional admission of the jatha the S.G.P.C. would be persuaded to instruct the Jatha so as to finish the 101 Paths within a short time, although Panditji was not prepared to admit that any time limit can be legitimately placed on a fellow's worship, which he is entitled to carry on uninterruptedly even for the whole of his life. Mr. Johnston's main objection, however, was time.

As it was already about 11 o'clock and Panditj and party desired to meet the jatha on the way to ascertain their view they left in two motor cars towards Bargari where the jatha were reported to be halting.

MILITARY ~~XXXXXX~~ MANOEUVRES

The fields on both sides of the Kachcha path presented the sight of a vertiable field of battle with the observation posts the flash signal stations, small squadrons of troops lying behind copses andbushes, cavalry people riding restlessly hither and thither across the cultivated fields, and couriers coursing along the path with "importatn" messages about the movements of the jatha. And all this enormous military display, beside very much more which I will presently describe, to meet a jatha of 500 admittedly non-violent people who had, as the latest official information itself went, no Sangat with them.

MEETING THE JATHA

Pandit Malaviya and party met the Jatha, which was preceded all along by about 100 fully equipped mounted troops and about 80 infantry men. It was really a soul stirring sight to see 500 faces beaming with joy the happiness of expected martyrdom. They were all unarmed, except for the Kirpans, and there was not one spectator accompanying them, except, of course, for two press reporters and their red cross brigade. Pandit Malaviya and Sirdars Kartar Singh and Gulab Singh talked to some of the jatha and were told that they were pledged to begin the Akhand Path today and had no desire to hold simultaneous Akhand Paths. They were, however, always prepared to obey the orders of the Akal Takht.

Panditji and party came back and again discussed the situation with Mr. Johnston, who was not prepared to enter into any negotiations unless the requisite guarantee were forthcoming, for which there was absolutely no time left.

Thereupon all the gentlemen, who had come up from Delhi and who were present behind the Gurdwara Tibbi Sahib, where the discussion was taking place, wrote out a letter to the Administrator embodying their view of the situation. They requested S. Jawahar Singh an Ch. Duli Chand, Punjab M.L.C.'s present there to sign it. These gentlemen, however, refused to do so. When the letter was presented to the Administrator he said he was not prepared to take it at that time.

JATHA SIGHTED AT JAITU

An hour or so later the Jagha was sighted and the danda police, military men, and the cavalry were stationed at the bifurcation of the roads to meet it.

The jatha arrived at 3-10 p.m. On Mr. Johnston calling a halt they halted and were immediately surrounded on all sides by the police. Mr. Johnston then spoke to some of the jatha men and offered to allow them all to start the Akhand Path in Gurdwara Gangasar provided they promised to come out of the Gurdwara after the first Path had finished and await the result of the negotiations with the Akal Takht (which he was told by the Jatha men was the proper authority and not the S. G. P. C.) This the jatha men resolutely refused to agree to. For them to leave the Gurdwara with out completing 101 paths was as sacreligious as to break the continuity of one Akhand Path. They also definitely refused bide time, voluntarily, till some settlement was arrived at. They said they had taken a vow to commence the Path today or die in the attempt. They were prepared for bullets, beating and, in fact, anything.

All this parleying took about two hours after which time, the jatha, having resolutely refused to accept any compromise which would take away from their oath, were placed under arrest and were led without, happily, the use of any force, to a pen inside the Fort. They also insisted on taking the Sowara Sahib with them and were permitted to do so. A Shamiana and a Takht were provided for Guru Granth Sahib inside the pen.

Pt. Malaviya, as all others, were all the time present on every occasion. Previous to the arrival of the Jatha Pandit Malaviya remonstrated with Mr. Johnston that, since the jatha was coming unarmed and there was no Sangat with it, no use of force could be justified.

Immediately on the arrival of the jatha the two press reporters that were accompanying it were placed

under arrest. One of them is a representative of the Bandematram, Lahore. They will be sent away to their places tomorrow morning.

I cannot close tody's account without expressing my thankfulness for the uniform courtesy shown by Mr. Wilson Johnston, the Administrator.

NEGOTIATION PENDING

(BY OFFICIAL COMMUNIQUE)

Jaito, March 14 5-25 p.m. -- The second Shahidi jatha arrived unaccompanied and was met and interviewed bythe Administrator. Under a vice of members of the Assembly and Legislative Council and Sikh Sirdars it consented to peaceful arrest pending negotiations between the Members and the S.G.P.C. regarding the Akhand Path, subject to reasonable conditions laid down by the Administrator.

ATTEMPTS AT COMPROMISE

Jaitu, Mar. 14 - A party of seven members of the Indian Legislature arrived here today consisting of Pandit Malaviya, Sardar Kartar Singh, Sardar Ghulab Singh Mr. Devakiparsad and Mr. Bhat (Members of the Assembly) and Mr. Rangaswami Iyangar, and Vedamurti (Members of the Council of State). They conferred with Mr. Wilson Johnston for four hours. Mr. Wilson Johnston expressed his willingness to consider a compromise on reasonable terms. The party proceeded to meet the jatha before it entered the town. Endeavours are being made to arrive at a temporary agreement with the jatha to allow a period for negotiation.

ARRIVAL OF JATHA AT JAITO

JATHA ARRESTED WITHOUT ANY HITCH

Jaito, Mar. 14 - Pandit Malaviya and party met the jatha a mile and a half before it entered Jaitu and asked the Jatha leaders whether they would wait for orders from the Gurdwara Committee. The Jatha declined on the ground that they had taken oath to ~~xxxxxxx~~ commence the Akhand Path today. The Jatha arrived at 3 p.m., and Mr. Wilson Johnston spent over an hour in discussing the terms of compromise, which the jatha refused. Eventually the jatha was allowed to proceed a 100 yards near the Gurdwara where they offered themselves for arrest. They were arrested without any hitch. The situation is quiet.

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The Tribune dated March 19, 1924, page 1, cols. 1-2.

AKALI LEADERS' CASE

The sittings of the Punjab Legislative Council on Thursday and Saturday were largely occupied with the consideration of the policy underlying the Akali leader' case. The discussion arose out of the motion of Rai Bahadur Sewak Ram that the grant in respect of Special Public Prosecutors be reduced by Rs.1, in other words the House should express its disapproval of the policy of appointing Special Public Prosecutors. Although the form in which the motion was put before the House was thus general, it was in reality an attack upon the appointment of Special Public Prosecutors in one particular case, the case of the Akali leaders, on the twofold ground that the case itself ought not to have been started and, having been started out now to be dropped and that even if it was considered necessary to continue the prosecution, it

be conducted by ordinary Public Prosecutors andnot special prosecutors at heavy cost to the finances of the Province.

On the first point it was contended by the supporters of the motion that the gentlemen who were being tried were the cream of the Sikh community, that their trial had created a feeling not only among the Sikhs but also amongst others, that the Government was following a vindictive policy, its real object being to put down theAkal movement and that it was bound to do far greater harm than good, even if it could do any good at all. Who were the men, it was asked who were on their trail? They were the leaders of the S. G. P. C., the representative body of the Sikhs in the mater of Gurdwara reform, whose members had been elected by their free vote and whose hold on the community generally was clear from the fact that in the recent elections between 80 and 90 per cent of the Sikh votes had been cast in favour of its nominees. Was the prosecution of such men calculated to approve the relations between the community they represented and the Government? As regards the second point the contention of the supporters of the motion was that even if it was considered necessary to go on with the case in the teeth of enlightened public opinion in the Province, it was at least only right that the impression should not be created that the Government was excessively anxious to obtain the conviction of the accused, and that this impression was bound to be created if instead of leaving the case to be conducted in the course by the ordinary prosecuting agency the Government created a special agency at enormous cost for purposes of the case.

What was the reply of Government to these contentions? On the second point practically no reply

was attempted beyond correcting the misstatement in one of the speeches on the side of the motion that one of the special public prosecutors engaged in the case was being paid Rs.600 per day. As if it mattered in the least whether the actual payment was Rs.500 or 600 when the case was to go on. Heaven only knows for what length of time, certainly for many months. As regards the first poin the Finance Member took up the extraordinary position that the only alternatives to the present policy which had been suggested, namely, a policy of releases and an amendment of the law had both been tried and had failed, and, therefore, the present was the only policy that remained. We are prepared to assume for the moment that both the alternatives referred to by Sir John have really been tried and have failed, though for our part we do not think either has been tried in the only conditions that could promise success. Does it follow that the present policy will succeed any better? For one thing, can Sir John deny that this policy too, like the other two, in fact far more than the other two, has been tried before now and that it has at least as signally failed as either of them? Secondly, could any man with even a tenth part of Sir John's shrewdness and his insight into men and things for a moment believe that where a whole community is concerned a punitive policy is more likely to succeed than a policy of conciliation? It was a distinguished British statesman who said on a memorable occasion that he did not know the method of drawing up an indictment against a whole people. Our wise Punjab Government is in this case not merely drawing up an indictment against a whole community, but actually hoping to win its heart by punishing it. Nothing else can be meant by Sir John's statement that although he and his colleagues had made many efforts which had been infructuous, they

had not lost their patience or hope.

We assure the Government with all the strength of emphasis we can command that it is following a policy fraught with danger and with disaster. It may be that the past efforts at conciliation have failed; we are ourselves far from denying that some efforts have been made to conciliate the Sikhs in the past. But the failure of these efforts could only be due to one of two causes, the inherent difficulty and complexity of the problem or the inadequacy of the efforts themselves, perhaps to a combination of both these causes. And just because it was so, it is the clear duty of the Government to proceed along the same general lines, only with greater zeal, earnestness and circumspection, because only along those lines does the hope of success lie. It is madness to imagine that it can be found on any other path, and especially on the path that leads naturally and inevitably to greater estrangement between the Government and the community.

The Tribune dated April 10,1934, page 4, col.4.

SIKHS AND GOVERNMENT

AKALI MOVEMENT NATIONALIST IN OUTLOOK

S. MANGAL SINGH'S STATEMENT

Sardar Mangal Singh, President of the Central Sikh League and a member of the Working Committee of the National Congress, has made the following statement to the Akali Sahayak Bureau:-

"Efforts are being made to create an impression in the mind of the public that the Sikhs are not willing to grasp the hand of friendship which the Government declares is always extended to them. I have no doubt the community much appreciate the generous remarks which both the Secretary of State for India in the House of Lords and the Home Member inthe Assembly made about them. But I am sorry that no attempt is being made to understand the Sikh point of view and to remedy their grievances. It is said that the Shiromani Gurudwara Parbandhak Committee is being unreasonable. What are the facts? The S.G.P.C. and the Shiromani Akali Dal, which are the two premier and representative organisations of the Sikhs have been declared unlawful. Practically all the leaders and a very large numberof workers have been clapped into jails. The press has been forbidden to publish the communications issued by the Shiromani Committee. People giving donations to the Committee, collecting funds or rendering other kinds of assistance to the Committee have been harassed and the generous provisions of the law have been put into operation against them. The use of post and telegraph offices has been refused to the Committee. Even money orders are not delivered . The newspapers, which are sympathetic towards

the Akali cause, are being harassed. The jathas which are daily going to Bhai Pheru from the beginning of 1924 are arrested, tried and convicted and sentenced and sent to Multan jail then and there. Similarly from 14th of September daily jathas of 25 men have been going to Jaito to resume the Akhand Path or the uninterrupted reading of the scripture. They are arrested and deported to Bawal and left in a jungle there. The treatment meted out to the Shahidi Jatha is wellknown. A regular campaign is carried on in the villages where people who are sympathetic to the Akalis are arrested. It is after thus thying the community hand and foot and after gagging them effectively that the "hand of friendship is offered tothem . The Sikhs have always been ready for an honourable settlement and even today they are prepared to grasp the handof friendship provided the offer is genuine and real. But if, as I suspect, the offer is made only with the object of gaining a tactical advantage it would not decieve the Sikhs. The Sikhs are a simple, straight forward people. The game of diplomacy if foreign to them. When there will be a genuine gesture of friendship on the part of Government I am sure they will only be glad to clasp the proferred hand. But if on the other hand Government wants to try repression, it is bound to fail with the Sikhs. It betrays a woeful ignorance of Sikh psychology and history. The Sikhs flourish under repression and the Khalsa has grown with the blood of the martyrs.

Side by side with the policy of repression there is also campaign to misrepresentation about the aims and objects of the movement. It is often said that the Sikhs are fighting to set up Raj of their own. A serious allegation of this sort is likely to produce grave apprehensions in the minds of other communities,

but fortunately we in India are too familiar with the "divide at impera" to be deceived. These allegations are made in order to alienate the sympathies of other communities from the Sikhs, but the fact that the whole country has rallied to the Sikh cause is sufficient proof that these misrepresentations are accepted at their true worth by the people.

OBJECTS OF SIKH MOVEMENT

But in order that there may be no misunderstanding regarding the objects of Sikh movement, I declare the it emphatically that the idea of establishing a Sikh Raj has never been entertained by any Sikh. The S. G. P. C. stands only for the purification of the places of worship. As for the national aims of the Sikhs they are directed towards the attainment of Swaraj in common with their sister communities. The Akali movement though essentially religious in spirit is thoroughly national in outlook. All the items of constructive programme have been carried out to a very large extent. A very high percentage of Sikh men and women have discarded foreign cloth and taken to the use of khaddur. Drink which was a great evil prevalent among the Sikhs, has been completely eradicated. The work of untouchability has been pushed on with great vigour. Litigation has been considerably reduced by private arbitraion. Thus the Akali movement is a powerful auxiliary to the national cause.

JAITO AFFAIR

Now with regard to Jaito, the aims of the Jathas which are going there as clear. The instructions issued to them by the Akali takht require them only to restart the interrupted Akhand Path. There seems to be a

suslicion in the official mind that the Sikhs intend to carry on the Nabha agitation under the cover of Akhand Path and want to use Jaito as a base for further agitatio Nothing can be further ffrom the truth. Sikhs are going there to assert their freedom of unrestricted worship and they have no other ulterior object. The Jaito Satyagraha as such is deposition of the Maharajah of Nabha.

The Sikh case is clear. They are fighting for the elementary right of freedom of workship and no amount of repression can avail. In fact the sufferings and the deeds of the prayers and are thus becoming part and parcel of the history and traditions of the Panth. As a friend of the British people I maypoint out that the bitterness which is being inevitably accumulated as a result of this in the minds of the people is fraught with grave consequences for the future. The Sikhs are not fighting for their sectional politcal accendancy and in their religious struggle they have notintroduced any ultierior political motives; and on this issue they are ~~fxxxkkxkr~~ always open to an honourable settlement. As for their national aims the Sikh community will stand shoulder to shoulder with their Hindu and Muslim brethren in the g fight for their country's freedom.

The Tribune dated April 18, 1924, page 1, col. 1-2.

GOVERNMENT AND THE SIKHS

We entirely agree with Sardar Mangal Singh, President of the Central Sikh League, that in appointing a Committee "to ascertain the wishes of those considered most competent to advise and to report as to the principles on which a measure might now be framed for dealing with the administration and management of Sikh gurdwaras and shrines" without first creating the conditions in which alone such an enquiry could be made with any expectation of its leading to fruitful results, the Punjab Government has literally put the cart before the horse. The Committee is to ascertain the wishes of those most competent to advise. How on earth is it to do so, when most of those who are "competent to advise the Government " are in prison? Are these men to be ignored or are they to be consulted with the halter of convictions, actual or potential, round their neck? And should not past experience have definitely told the Punjab Government that there was no likelihood whatever of the Sikh community generally or its vocal section in particular considering any proposal for Gurdwara reform or, indeed, for any other purpose, so long as so many of its representatives and leaders were in prison because of their very zeal for religious reform? It was on this precise rock that most of the previous attempts at a solution of the problem were wrecked, and the fact that another attempt is now being made in the same direction without keeping clear of the dangerous rock shows that the Punjab Government is either unwilling or unable to profit even by its own recent experience.

In truth it is the most absurd of all things

for the Government to think of solving the Sikh problem with the S. G. P. C. declared as an unlawful body and with its most distinguished leaders rotting in prison. The nature of this absurdity can be realised when it is borne in mind that when some time ago the Government passed a Gurdwara Bill in the teeth of protests on the part of the Sikh public generally and the Sikh members of the Council in particular, it was this body which, in spite of its avowed hostility to the official measure, had to be definitely entrusted with the statutory duty of electing a third of the tribunal which was to enquire into and decide cases of disputed shrines. A greater testimony to the authoritative character of the organisation it is impossible to think of. The Government had the best reason in the world to know that so far as the question of Gurdwara reform was concerned, the S.G.P.C. was the only representative organ of the entire Sikh community. And is not the Government forced to bear the same testimony even in its recent communique, without perhaps knowing that it is doing so? What else is meant by the following significant words:- "The Government understands that a considerable number of Sikhs would be glad to see an Act passed either in amendment of or in substitution for the Act of November, 1922. It has for some time past let it be known that it was ready to consider any proposals made to this end, provided that they were reasonable and would be likely to receive substantial support from the interests concerned. No such draft measure has, however, uptodate been put forward for the consideration of Government." Only a Government entirely lacking in imagination and in insight could have seriously made this a matter of complaint. What else could the Government expect, after having perpetrated the monumental blunder of suppressing or attempting to suppress

the only representative body of the community and sending its foremost leaders to prison? Surely the Government, like every one else, can only reap as it sows.

The Gurdwara problem is beset with serious difficulties no one knows better than ourselves. But the manner in which the Government went to work to remove these difficulties was entirely and fundamentally wrong. It made the mistake from the first of antagonising the community by attacking its ~~leadra~~ leaders, by resorting to penal measures where measures of conciliation alone could be of any avail. It was literally a case of drawing up an indictment against a whole community. From time to time measures of conciliation have undoubtedly been tried, but they have never been either sufficiently unalloyed or sufficiently whole-hearted. Very often they lost all their virtue owing to the ignoble company they were forced to keep. In all cases they were of the nature of an exception which only proved the rule of general repressio On the top of a succession of blunders have come, first, Guruka Bagh and then Jaitu, the memory of which rankles inthe heart of every patriotic Sikh. To think that a solution of the Sikh problem can be found until this memory has been partially effaced by generous acts and the present atmosphere of strife and contention and bitterness replaced by one of calmness by the adoption of a general policy of unqualified conciliation is to expect the impossible. Let us not be misunderstood. We do consider the appointment of the Committee a step in the right direction. But if this step is to succeed it must be accompanied by the abandonment of the policy of the past, by the released Gurdwara prisoners generallyand the undertrial leaders in particular and the cancellation of the notification declaring the S.G.P.C. and the Akali Dal to be unlawful bodies. Unless and until this has been done any effort that may be made for peace would be so much labour lost,so much time and energy thrown away.

The Tribune dated May 3, 1924, page 2, cols.1 to 3.

RESULT OF MR. PANIKKAR'S ENQUIRY

Amritsar, April 30 - In accordance with a resolution of the Congress Working Committee, Mr. K.M. Panikkar, incharge the Akal Sahayak Bureau, has submitted the following report with regard to the firing at Jaito:-

"The undisputed facts with regard to the Jatha are these:-

The S. G. P. C. has been sending regular daily jathas of 25 to resume the Akhand Path at Gangasar temple at Jaito. It decided to bring the matter to a decision by despatching a Shahidi or Martyr Jatha of 500 men. On the 9th February the jatha started from the Akal Takht after taking a solemn vow of nonviolence in thought, word and action. The declaration of orders definitely stated that the jatha should remain perfectly nonviolent in the face of all provocations. The jatha evoked great enthusiasm on the way and at some halting stations the crowd seems to have risen upto fifty thousands. Upto Bargari their march was uneventful except for the large crowd which followed in their wake. From Bargari the jatha left for Jaito at 12 o'clock. At Jaito the Administrator had made careful preparations. The road to Gangasar Gurdwara from Bargari bifurcates at some distance from the Gurdwara, one path leading to the Gurdwara Tibbi Sahib and another leading straight to the Fort and Gangasar. At the corner, where the road bifurcates a posse of cavalry was posted and a Lewisgun was fixed. There was also telephonic connection established between that point and the Police Station. The road to Gangasar was narrowed by barbed wiring which would allow only a few people to pass at a time. Thus the crowed

could be separated from the Jatha. Some troops were stationed near Tibbi Sahin shrine also. After the Jatha and the crowed hadpassed the Nabha boundry Mr. Wilson Johnston, the Administrator, approached them and told them the conditions on which he was perpared topermit them to go to Gangaser. The Jatha didnot heed this and marched forward avoiding the barbed wire fencing and swerved to the right taking the path to Tibbi Sahib. The Administrator asked them to disperse which they did not do. The fire was opened but the jatha advanced in the face of bullets and reached Tibbi Sahib where they planted the flags and deposited their wounded. From there the Jatha marched on to Gangaser. On the way they were surrounded and asked to surrender. They were ~~axxx~~ transported in bullock carts to the Fort.

THE ISSUES

"These facts are not questioned but, unfortunately, the same cannot be said of the issues this report has to deal with. The questions to be enquired into are the following:-

1. Had the crowd any firearms or other dangerous weapons?

2. Did the crowd take aggressive action?

3. Was the Administrator's action in firing on the crowd justified in any way?

4. Was there any pre-conceived plan in the crowd accompanying the Jatha?

5. Were the wounded looked after?

6. The treatment of those arrested or in jail.

7. Were the Akalis violent at any time?

HAD THE CROWD FIREARMS?

There was undoubtedly a very large crowd along

with the jatha. They were mostly villagers who had joined the jatha in its march so as to be a le to witness what was evidently oing to be an imposing religious ceremony. The pious country folk anxious to take part in the religious function joined in large numbers. Doctor Kitchlew and others, who inspected the jatha on the way, testify to the enormous enthusiasm in the villages and the great welcome which the jatha was given at every halting station. The crowd was a very large one, numbering, probably many thousands, but it was behaving all along in a most orderly manner.

It is admitted that the jatha itself maintained most examplary discipline naturally swelled but all the statements made before me agree on the fact that there was no disorderliness or disposition to rowdyism on its part. By far, the larges part of it was walking behind the procession or on the sides, but a few were in the front. In fact, the jathedar actually asked them to go behind as it would be an act of irreverence on the part of the crowd to precede the procession. The statement in the official report, that the jatha advanced under cover of six thousand armed Sikhsm os untrue.

PRECONCEIVED PLAN

"The question as to whether the crowd accompanying the jatha was part of a preconceived plan, as it is sought to be made out, is a more serious one. Mr. Balwant Singh's account and the despatches in the Civil and Military Gazette suggest that the crowed was in itself an organised party called the Durli Jatha under its own leaders and it had come purposely to attack.

"It is suggested that the irregular jatha formed part of the plan of operation. There is

absolutely no evidence of this. In fact, the whole attitude of the jatha disproves the suggestion. We have Dr. Kitchlew's own direct statement that when the Jatha entered the Nabha territory the Jathedar addressed the crowd and asked them not to accompany the Jatha. When the crowd declared that they were accompanying only for serving a religious ceremony they were requested to keep behind. No one was permitted to address the crowed or the Jaha. In face of this, the attempt to cover up official panic by trying to picture the crowd as an army of 'Badmashes', meant as an advance guard, would not hold water. On the otherhand, I do not rule out the suggestion that 'Badmashes' and undesirables of all kinds might have tried to join the crowd. It is also interesting to note in this connection that there were strong rumours in the Sangat that a considerable number of such men had joined as agents provocateur under orders from the authorities; but I have had no reliable testimony to substantiate this and I do not personally give credence to this. But one thing about the crowd is certain. It did not carry any arms. It is true that some people in the crowd, perhaps a considerable number, carried lathis and kirpans, but beside that they had no arms. All the witnesses I have examined are unanimous on this point. Dr. Kitchlew, who personally inspected the jatha before it reached the Nabha frontier, declared emphatically that they did not possess any. Even the special correspondent of the Civil and Military Gazette who examined the trophies captured from the prisoners, did not see any firearms. This is what he says:-

"I spent some time in the Fort this afternoon examining the weapons that were recovered from the scene of the conflict or taken from the prisoners in Tibbi Sahib. There was a huge pile of bludgeons made from branches of

of trees, some of them fearsome weapons known as Thumbas. These were mostly recovered after the flight of the Akalies, but from these captured outside Tibi Sahib were swords which by no possible exaggeration could be called Kirpans spears,axes, bamboo cudgels, a rake and some converted parts of agricultural implements. It is not claimed even in the Government communique that any fire-arms were captured. If, as is suggested by the Government, the crowd had any firearms with them, how is it that not even one specimen, just as a Trophy, was captured when such a large number of the Akalis surrendered? I am perfectly satisfied, both from the statements of the highly responsible witnesses and from inferences from the known facts that the crowd was absolutely unarmed except for the possession of the Lathis.'

WHETHER CROWD TOOK AGGRESSIVE ACTION

Referring to the question whether the crowd took any aggressive action, the report says that there is wild exaggeration in the report of Mr. Balwant Singh, Nalva, Magistrate. It says that "It might easily have been that lathis were prominent in the hans of the villagers but it is clear that no violent action was intended by the crowd." It further says, "clearly the Government accepts that the first aggressive action leading to the death of so many citizens came from the precipitate order of the authorities themselves." Discussing the justifiction of this order Mr. Panikker says, "I am convinced that the Administrator became panicky and ordered fire as a result of fear. One sentence in Dr. Kitchlew's report gives the clue. Mr. Johnstone, when he saw Mr. Gidwani and Dr. Kitchlew, told them 'You spoiled the whole affair. I had arranged for their peaceful arrest. As a result of your coming I had to

change my plan. Evidently the Administrator thought the professor Gidwani and Dr. Kitchlew were leading a mob army to take possession of Nabha and it is this state of panic int which he was driven that explains his order to fire. I have not found it possible to estimate the actual figures (of casualties) with any degree of ~~cu~~ correctness. Almost all the witnesses put the number of killed at about 30 and the wounded about one hundred."

The concluding portion of the report, referring to the care of the wounded, is significant and runs as follows:-

CARE OF THE WOUNDED

"As to the question of first aid to the wounded the accusations of deliberate callousness are not borne out by the facts admitted by the witnesses . The Administrator does not seem to hav thought about the question beforehand and was at a loss when actually faced with the problem. But the statements of the wounded men agree that after they had been taken to the Fort they were supplied with milk and efforts were made to dress their wounds properly. The whole incident seems to have been the result of panic. The Administrator seems to have been under the impression that an army was coming to invade Nabha. It is this false and unjustificable inference that was the cause of the trouble. The Akalis have repeatedly declared that their object is only to resume the Akhand Path but the Administrator was pleased to read other intentions into the march of the jatha and to act as if he was facing a hostile force. On the evidence before me and on the published facts of the case I can only conclude:-

1. That the crowd was unarmed except for lathis and was never aggressive. It certainly had no firearms.

2. That the jatha remained perfectly nonviolent to the end.

3. There was no justification whatever for the action of the Administrator and the fire, even if it had been opened only as a precautionary measure, was carried on for an unnecessary length of time."

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The Tribune dated July 10, 1924, page 1, cols. 2-3.

THE JAITO JUDGMENT II

We have already pointed out some of the general defects of the judgment delivered by Rai Sahib Amar Nath in what is known as the Jaito case. We have also indicated on what flimsy grounds the disinterested testimony of a respectable American journalist has been disbelieved These facts alone are, in our opinion, sufficient to destroy the judicial value of the pronouncement. But they are not all. There are also grave legal defects in the argument which has apparently led the learned Magistrate to convict the 22 accused. Clear points of law have been ignored, with the result that a grave miscarriage of justice has taken place. To constitute an offence under section ~~under~~ 149 of the Indian Penal Code it is essential to prove (i) that the accused belonged to an unlawful assembly, (ii) that any member or members of such assembly committed an offence in prosecution of the common object of that assembly, or such as the members of the assembly knew to be likely to be committed in prosecution of that object and (iii) that the accused were at the time of the committing of that offence, members of the same assembly.

As regards the first, in the face of Mr. Zimand's reliable and thoroughly impartial testimony, which the learned Magistrate has given no adequate reason for discarding, that the members of the crowed were "good humoured fellows" and that the crowd had no firearms or any sharp edged weapons except the kirpans, and in the absence of any disinterested, independent and reliable evidence to the countrary, it passes one's comprehension how the gathering could be called an unlawful assembly. Nor were any firearms, which alone they are said to have used, captured. These facts knock the bottom out of the theory of 'unlawful assembly'. Then, again, there is the highest judicial authority for the statement that "if a number of persons assemble for a lawful purpose, and with the intention of carrying it out lawfully, the assembly does not become unlawful by the fact that they knew they would be opposed and had good reason to believe that a breach of the peace would be committed by those who opposed them." More. "Although the conduct of the assembly excites others to a breach of the peace, yet, unless it is the object of the assembly to do so, it is not an unlawful assembly on that account." Let us examine the facts in the present case in the light of these weighty pronouncements. Here are a large number of persons pledged to non-violence in their attempt to achieve a lawful religious end. By their great self-sacrifice in the cause of their religion they attract towards themselves a large number of enthusiastic admirers who have no other apparent object but to pass the longest possible time in the company of the former. All of them undoubtedly know that they would be opposed and that a breach of the peace was likely to be committ by those who opposed them, but they had apparently no intention of provoking such breach of the peace them-

selves. How can such a gathering constitute an "unlawful assembly?" We ask, is there any independent and reliable evidence on record to prove that the method followed or proposed to be followed by the crowd was unlawful? The story of the possession and use of firearms, we have seen, is not established for no firearms were produced. The story of the threatening attitude of the crowd has also no disinterested and independent evidence to support it. When both these are taken away, what is left but a peaceful crowd assembled to achieve a lawful purpose in a lawful manner?

As for the second and the third points we have only to reiterate that the 'common' object of the assembly was quite lawful, being only the starting of the Akhand Path, and that if at all any reliable evidence existed against any desultory individuals having committed any offence it is only those particular individuals that it would be right to prosecute and, in that case, too, it would be necessary to prove the offence in each individual case. It would not sufficie, as it appears to have done in the present case, merely to infer the guilt of an otherwise innocent individual from the possible guilt of another.

Lastly, the sentences passed by the learned Magistrate are positively monstrous in spite of his professions of regard for sex and age. To award, ten, seven, or even five years for an 'offence', which is at the very best but doubtful, and which, according to general belief and unquestionable independent testimony, was never committed, is the climax of judicial perversity. This perversity is particularly heightened in the case of the lady accused whose crime, at its worst, consisted merely in fanatical ejaculations on the horrible

horrible loss of life that had been caused by the firing by the State force. It is 'judicial' pronouncements like this that have undermined and are further undermining people's confidence in the justice of law courts which used not long ago to be described as the strongest bulwark of the State.

The Tribune dated September 4, 1924, page 4, cols.2.3.4.

WHY THE BIRDWOOD NEGOTIATIONS FAILED

S. G. P. C.'S VERSION

In reviewing the Sikh situation at a garden party given to him at Ambala Sir Malcolm Hailey declared that the entire activities of the Government in regard to the Akali movement are directed towards the friendly act of saving them from the inevitable fate of a community which yields to the advice of those who attempt to inculcate a mentality which is contemptuous of the rights of other communities and subversive of the authority of the State. His Excellency also expressed sympathy with the demand for religious reform and for the enactment of legislation for the purpose of a Panthic control of the shrines. As a remedy for the present evils said His Excellency, "we have offered you that remedy before; we offer it again." Evidently, what His Excellency wanted to suggest by therapeutic allusions and vague assurances was that the recent negotiations between the Sikhs and the Government failed as a result of the intransigence of the Akalis and of their "mentality which is contemptuous of the rights of the other communities and subversive of the authority of the state". The following communication sent to the Secretary of State by me as one who took part in the negotia-

tions as a representative of the S. G. P. C. would prove clearly that the Sikh demands were not only moderate in themselves, but did not in any way interfere with the rights of other communities. The Shromani Committee did not publish the facts about these negotiations, in spite of insistent demand from the public. The Committee has been forced to publish the true version of the course of negotiation as a result of the unfounded allegations made by His Excellency obviously for purposes of propaganda. Evidently "professors of a perjured publicity" exist even outside the Akali ranks. The following is the full text of the communication, which has the full approval of the Shiromani Committee and has been shown to Mr.Craik, the Chief Secretary to the Punjab Government.

The public can for themselves see how far we have been actuated by a sincere desire for peace. The Sikhs have always been and are today prepared for an honourable and equitable settlement of the Gurdwara question. But if Sir Malcolm wants to prolong our sufferings still further His Excellency will find the Sikhs ready to a man to cheerfully sacrifice everything for the sacred mission of Gurdwara reform. I hope the Sikh community would rise equal to the occasion and receive the coming blow with perfect equanimity.

LETTER TO SECRETARY OF STATE

In its communique dated June 3rd Government has definitely announced that the idea of the Birdwood Committee has been abandoned for the present as the conversations between the Government and the Sikhs about preliminaries have not resulted in an agreement. In order that there may not be any misunderstanding about the position of the Sikhs in this matter, the following statement is sent to you.

On the 17th April Sardar Jodh Singh and Sardar Narain Singh, two Sikh councillors, after discussing the matter with General Secretary, at Government House, Lahore, met the representatives of the S.G.P.C. in Lahore Fort and outside and told them that the Government contemplated settlement of Nabha, Jaito Gurdwara Legislation and Kirpan affairs and had made suggestions accordingly. But as the Government was not able to carry out its own proposal about Nabha the settlement of that affair did not mature and it was agreed upon by both parties to proceed with the solution of the other question leaving the Nabha question open. It was the desire of the Government that the settlement should take the for of a confidential agreemetn. The Siks agreeing, a document was drawn up, in which Government agreed to give a definite written undertaking about the release of prisoners including those under trial in Lahore Fort as well as those arrested in connection with Jaito affair after the passage of the Gurdwara Bill with the consent of the Sikh councillors. The draft document was brought by Bhai Jodh Singh and Sardar Narain Singh on 28th April to the S. G. P. C. representative who proposed some ordinary amendments which were based on religious grounds The S. G. P. C. had of its own accord offered to suspend all forms of agitation in order to create a calm atmosphere for the Birdwood Committee. The Government agreed to cancel the Cr. Law Amendment Act Notification declaring the S. G. P. C. and the S. A. D. as unlawful associations and to abstain from fresh arrests and other penal actions. Of course, the going of Jathas to Jaito and Bhai Pheroo was to cease. The amendments desired by the S. G. P. C. were of such ordinary and reasonable a nature that Bhai Jodh Singh considered the settlement so likely that he thought that another meeting would not be necessary. He therefore asked for and obtained the

written authority of the S. G. P. C. for himself and Sardar Narain Singh to complete the transaction and sign on behalf of the S. G. P. C. When on 1st May the two Sikh councillors met the representatives of the Government, they were faced with a new proposal. They were told that the Punjab Government instead of making a confidential agreement wanted to publish a resolution subject to the approval of the Government of India. This draft resolution disclosed a number of changes from the position taken up by Government previously. When this was shown to the S.G.P.C. representatives they naturally replied that they felt it would not advance matters to discuss proposals that yet required the approval of the Government of India, but that they were prepared to give a definite reply if something were shown them in a final shape. Afte two weeks silence the Punjab Government handed to Bhai Jodh Singh and Sardar Narain Singh on 17th of May a "revised draft of proposed resolution bythe Punjab Government," approved by the Government of India.

It was found that the Government proposals had undgone further material curtailment. The definite undertaking about the release of all prisoners was now changed into a mere intention to review the cases of certain classes of prisoners and release as many of them as possible. The release of Sardar Bahadur Mehtab Singh and others in Lahore Fort was distinctly omitted and the S. G. P. C. was asked to rely on a verbal assurance about the withdrawal of their case. There were other changes too. The S. G. P. C. could not accept the verbal assurance and the resolution as a whole and gave an elaborate reply on the 18th May indicating how the new proposals fell very much short of Government's own proposals made previously. While these conversations had been goin on the Government instead of giving the

Sikhs an impartial enquiry about the Jaito firing which the S. G. P. C. had been demanding from the beginning, started at Nabha a trial of 22 Sikhs including besides a Sikh lady, the Head Jathedar and Jathedar of the 1st Shahidi Jatha, which had been fired upon on 21st February in spite of its admitted non-violence. The S. G. P. C. in its reply had to notice this fact.

On the 22nd Bhai Jodh Singh was called at Simla and shown a draft announcement which Government proposed to publish about the break of negotiations and the abandonment of the Birdwood Committee as no agreement could be reached. He did not take exception to the wording which were colourless. On being asked again however, he expressed his belief that an honourable settlement was not impossible. Next day the Government representatives gave him to understand that certain amendments could be made in the resolution, but that on the question of release of prisoners, including the leaders in Lahore Fort and those undergoing trial at Nabha, the Government's position was unaltered.

Bhai Jodh Singh and Sardar Narain Singh saw the representatives of the S.G.P.C. on the 26th who replied that they wanted an explicit declaration about the unconditional release of prisoners pointing out, however, that, if the Government insisted on making its announcement in a particular phraseology, it might give a private written assurance that the words really meant that all the prisoners will be released on the passage of the Bill. About the prisoners undergoing trial at Nabha in connection with the Jaito tragedy, the S. G. P. C. suggested the alternatives, release of those prisoners along with other Jaito prisoners, or impartial enquiry. These views were duly conveyed to the Government by Bhai Jodh Singh in two letters. On 28th

May he received a letter and telegram from Punjab Government informing him that the Government was not prepared to make any change and unless Government proposals of May 23rd were accepted by noon on Monday, the 2nd June, the negotiations may be considered to have ended. Thus, after dragging on for full two months and after substantial agreement on most other points the negotiations have mainly broken where they had begun, that is, on the question of the release of prisoners. Any Gurdwara Legislation would be doomed to failure, if those who have suffered to secure it do not come out to work it and the bitterness due to their detention in jail continues. It is hard to understand why the Government could not give the required assurance unless it meant to detain the prisoners and frustrate its own purpose of restoring peace by giving the desired legislation. It is also clear that how moderate the Sikh demand was for in view of their tremendous sufferings at Nankana Sahib, Guru ka Bagh, Jaito, Bhai Pheroo, etc. by which hundreds have lost their lives, thousands have been rendered destitute and homeless, they might well have pitched their demands much higher, but knowing that nothing in the world could make up for these sufferings which must go as a sacrifice for their God and Guru they only asked for the release of prisoners.

The present rupture of negotiations has confirmed the fear of the average Sikh that Government does not want to release the leaders and workeres of the Sikh community and that a Government which would not do that would not consent to give them a satisfactory Gurdwara Legislation. Nothing strange, if the Sikhs in view of these past experience and particularly of the present negotiatios, insist that their leaders at least must first be released so that they may as free

man help to fashion the Bill and carry the whole community with them in accepting and working it.

It may also be pointed out at the end that so far the question of the personnel of Birdwood Committee had not been discussed and that there had been no opportunity for agreement or disagreement on this point.

